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THE EVOLUTION
of
NORTH-WEST FRONTIER PROVINCE

Rai Bahadur Diwan Chand Obhrai

The Evolution of the North Western Frontier Province

THE EVOLUTION
OF
NORTH-WEST FRONTIER PROVINCE

BEING

A Survey of the History and Constitutional Development of N.-W. F. Province, in India

BY

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"Where there is no knowledge of the past,
There can be no vision of the future"—

—*Rafœl Sabatini.*

"ہندوستان کا در ہے صوبہ سرحد ہمارا"
"بدلے ہیں انقلابوں سے اسنے کئی زمانے"
"عالم پہ ہے تسلط اسکی شجاعتوں کا"
"یہ پاسبان ہے سب کا مانے کوئی نہ مانے"

Dedicated

with most respectful regards

to

Mahatma Gandhi

in commemoration of his recent visit to

N.-W. F. Province.

PREFACE

The author belongs to Punjab, Jhelum Dt., but he has now settled in N.-W. F. Province, the field of his professional labours for the past forty years, partly at Abbottabad, and partly at Peshawar. He is not a professed politician, but both as a legal practitioner, and ordinary citizen, he has watched the development of political events in North-West Frontier Province since its separation from Punjab, taking at times his humble share in framing the policy or line of action of the Hindu Minority Community in this Province in its relation with the sister Majority Community, and the Government. This booklet in describing North-West Frontier Province as it is governed today under the Reformed Constitution has had to notice briefly in the background of the picture, a sketch history of N.-W. F. from earliest times. An effort has been made to devote some inquiry into the past political history of this administrative unit, and to trace its evolution under various foreign and internal influences, from a barbarous savage country under Tartar and Afghan dynasties, passing through troublous Sikh times, to a place in the enlightened civilization of India, under the British administration, with its present position under the new Reforms Scheme, to enable the general readers to form some intelligent surmise as to its future development in various directions.

B.

The Table of Contents will explain the topics dealt with in the sixteen chapters of this work, divided into Hindu, Muhammedan, Sikh, and British periods before and after separation, *viz.*, the last 50 years of the Nineteenth Century: and the first 37 years of the Twentieth Century.

Photographic illustrations have been supplied through the kindness and courtesy of the Archæological Survey of India, the Curator, Museum, Lahore, and of Lala Mela Ram, and Ishar Das, Photographers at Peshawar, and of other friends, to all of whom the writer tenders his cordial thanks and acknowledgments.

Abbottabad,
10th July, 1938.

DIWAN CHAND OBHRAI.

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THE EVOLUTION OF NORTH-WEST FRONTIER PROVINCE

PART I

HISTORICAL RETROSPECT

CHAPTER I

THE HINDU PERIOD

1. ANCIENT CIVILIZATION

It is in THE INDUS VALLEY that the earliest traces of a high order of civilization in the Sub-continent of India have been found, from the excavations by the Archæological Department of the Government of India, at *Mohenjo-Daro,* in the Larkana District of Sindh, and at *Harappa,* in the Montgomery District of the Panjab. This ancient civilization seems to have reached its height between about 3250 and 2750 B.C. and "extended at least so far to the south-east as Eastern Kathiawar."

2. ARYAN IMMIGRATION

The next glimpse of Ancient India, with special reference to North-West Frontier, is to be had from the time of the great Aryan immigration into India across the snow-clad hills of the "Hindu-Kush," marching from the river Oxus, towards the valley of Herat, and then spreading through Ghazni and Kabul on one side, and through Kandhar and Solomon mountains on the other, to the country watered by the river Indus. This tract appears then to have been the home of some aboriginal folk, the *Dravidians,* whose traces are still to be found amongst the Dards of Pamir and the Kafirs of Kafiristan. It is not definitely known whether the aborigines who possessed large herds of cattle, and lived some sort of agricultural life in villages,

were mere savages or enjoyed a civilization of the type found to have existed in the Indus plain nearly five thousand years ago. It is clear that this Aryan movement into India from the high tablelands of Asia, across the great wall of mountains barring the entire land frontier on the north-west, through THE GATEWAYS OF THE KABUL, the Kurram and the Gomal rivers, represents the Conquest, by wave after wave of fair-coloured civilized tribes, of their dark-skinned enemies whom they pushed further back into hills and forests, themselves occupying the great alluvial plains of unrivalled fertility in the north-west corner of India, the Panjab, or the land described as watered by five rivers. This Aryavarta, or Cradle of Hinduism, is now preponderatingly populated by Mohammedans nucleused chiefly in the North-West Frontier Province. The Vedic hymns frequently mention the river Sindhu (Indus), as also the five rivers of THE PANJAB, known as *Vitasta* (Jhelum), *Asikni* (Chenab), *Parushni* or *Iravati* (Ravi), the *Sutudri* (Sutlej), and the *Vipas* (Beas). The Aryan settlers were originally known as "Sindhus" after the name of the mighty river along whose banks they settled, and throve in pre-historic times. Later they gradually came to be called "Hindus." The Vedic Indians (Hindus) are known to have consisted of five important tribes, or clans. Each tribe was made up of several settlements, and each settlement consisted of a number of villages. They were pastoral people, mostly living in villages with rude earth-works around as a defence, and their main wealth consisted of cattle, as agriculture was their important source of livelihood, though they also were wood-workers and smiths, and kept horse-driven chariots, and engaged in hunting with bows and arrows. They were not mere vegetarians, but milk, ghee and fruit were important articles of diet. Their weapons were of wood, and iron, such as the bow, spear, sword and axe. Their political organization consisted of families as a unit of different tribes, ruled through tribal assemblies, or *sabhas* presided over by an hereditary or elected chief, or Raja, under the influence of the domestic priests or *purohits*, as religious dictators, or the law-givers, and guide in social functions, and religious ceremonials.

This Aryan race, the ancestor of modern Hindus, including the intellectual Brahmins, the military Kshatriyas, and the trading and farming Vaishyas, who with their superior organization and higher civilization exterminated or completely subjugated the aboriginal tribes in their wars of invasions, and first brought them into the com-

munity as captured slaves, and later absorbed them by peaceful means, as free citizens, forming the fourth estate of men engaged in humble occupations, peopled a glorious and highly civilized ancient Hindu Kingdom stretching from Oxus downward to the Bay of Bengal across the great Gangetic plain to the north of the Aravalli mountains of Central India. In the great Hindu Epic Mahabharata, which is supposed to have been composed about 3000 B.C. appears a great Heroine called Gandhari (native of Gandhora), modern Peshawar, the mother of Duryodhana, the mighty ruler of Hastinapur (modern Delhi). "Panini, the great Hindu grammarian, was born and bred in this Province: and Parasu Rama, the great Brahmin warrior of lore, supposed to be the founder of Peshawar city, was also a native of the Indus valley." Towards the close of 7th century, a number of independent Hindu States existed in India, many of which were Republics. Their administration was carried on in public assemblies presided over by elected chiefs.

3. HINDUISM

This Indo-Aryan civilization and culture, known as Hinduism, founded upon the great Vedic Religion, and the six well-known systems of Hindu Philosophy of life, which has been conserved and developed in India for centuries past, and which has withstood all the ravages of subsequent invasions or conquests by Persians or Greeks, Scythians or Mohammedans, and which has survived the competition of other leading faiths of the world, like Buddhism, Islam and Christianity, was first built up in the tract of the country now known as the North-West Frontier. The religious and social system peculiar to India is "as enduring as it is unique." "This was the great force, that pursued its long evolution as a religious or social system seldom if ever disturbed by the rise and fall of dynasties and the clash of arms."

Hinduism is a very wide expression hardly possible to define or limit, as it is not exactly a creed or worship and offers the completest liberty of conscience and religious beliefs, tolerating Agnosticism and permitting divergences between the popular polytheism of the *Puranas*, and the sublime heights of the Vedantism of the *Upanishads*.

This is what makes Hinduism so tolerant of all other religions. The term Hindu does not suggest any language affinity or territorial limits, of the people inhabiting the northern or southern portions of

the Indian Sub-continent since many centuries. It applies to all those born in one of the four main classes or castes, of Aryan or Dravidian descent, living in India under a homogeneous rule of life, and IDENTICAL CODE OF SACRED LAWS—"The Laws of Manu"—public and private, laid down by the ancient Rishis, covering the religious duties, as well as the social and economic life of the individuals, as members of thier family, tribe or race, or in their political relation to their King. Caste System as the basis of social order is the abiding feature of Hinduism which governs the life of more than two-thirds of the population of India. Hinduism is nothing more nor less than a distinctive way of life peaceful and law-abiding, based on the teachings of the Vedic religion. These have been further evolved by an elaborate system of Hindu Philosophy, aiming at a uniform mode of social and economic life, centering round the metaphysical doctrine of Karma, and transmigration of Soul, and the legal sanctity of the marriage institution, and the traditional veneration of the Cow.

It is true that when Hinduism fell from its fountain-head in Vedas, and in the Dark Ages got mixed up with the superstitious doctrines of the more primitive Dravidian population, there was idol worship, and deification of the forces of nature, and the promotion of saints and heroes to the rank of deities, or *Avatars*, but there has recently been a movement initiated by Arya Samaj of "Back to Vedas, and Shastras."

4. HINDU KINGDOM

There is no historical record of the earlier period of Hindu supremacy in N.-W. Frontier corner of India; and the archæological researches are naturally not very helpful owing to the vicissitudes of the political domination of Moslem races for nearly seven centuries in this part of the country. But, this Province must have enjoyed the peace and prosperity attending Hindu Kingdoms, and benefited by the distinctive Indo-Aryan culture and its varied and extensive religious and philosophical literature; its wide range of arts, crafts and sciences; its wealth of epic and dramatic poetry. At least no foreign invasions, or conquests are known besides the original Aryan immigrations to have disturbed the peace and quiet of the Aryan tribes and families, when not at serious wars with each other, and not engaged with any aboriginal enemies.

Buddha.

The Evolution of the North-Western Frontier Province.

Buddha Standing.

(By kind permission of The Archæological Survey of India.)

The Evolution of the North-Western Frontier Province.

5. PERSIAN DOMINATION

"The dawn of history finds the Iranians the master of the whole Indus Valley" about five centuries B.C. when Jainism, and Buddhism were beginning peaceably to make headway in the country, then divided among 16 large states. Cyrus, King of Persia, led his army into territory now known as Afghanistan and Baluchistan and for a time the Hindu Kings lost the dominion over the Northern country round about Kabul, and Darius I, annexed *Gandhara* (the modern Peshawar, and Rawalpindi districts), about the year 518 B.C. and the Persians continued to rule in this region for nearly two centuries. This Province supplied troops for Xerxes invasion of Greece. Early history thus finds Iranians dominating this territory, followed by the Greeks.

6. ALEXANDER'S MARCH

But, the Hindu Kings had regained their rule, when the enterprising Alexander, of Macedon, entered India in 326 B.C. after crushing the declining power of Persia, and subjugating the countries now constituting Afghanistan. The Peshawar valley, then called Gandhara, was under the rule of a Rāja whose capital was Pushkarāvati, the modern Charsadda, on the Kabul river. Alexander, after conquering the lower Kabul valley, and the hills around Peshawar, made it into a Governor's Province, under a Macedonian officer named Philip. The Hindu Chief of Taxila, then a great centre of Buddhistic learning, oppressed by his powerful neighbour King Porus, ruler of Northern Hindu State across the river Jhelum, sought an alliance with the foreign invader, and invited him to attack the rival Kingdom.

Alexander the Great led his men over the Indus, attacking Rāja Porus, and overpowered the brave defender, after crossing the river Jhelum near Jalalpur. He then pushed as far as the Beas, where his army refused to march further having no hope of success against the powerful Kingdom of Magadha. Alexander returned to his country, after giving back the conquered dominions to King Porus, and reached the Sea *via* Persian Gulf. Philip, the Greek Satrap of N.-W. Province, was treacherously assassinated soon after Alexander's departure, and the precarious hold of the Greeks in India was completely shaken off when Alexander the Great died in 323 B.C. Ambhi, the Governor of Taxila, and Porus, the Governor of domains beyond the Jhelum, became once more independent rulers,

but Alexander's invasion had left them utterly broken, and both were easily subdued by Chandra Gupta and they were later included in the powerful Maurya Empire of the Magadha Hindu Kingdom. These Hindu dynasties introduced Buddhism into the north-west of India, as part of the Mauryan Empire.

7. THE MAURYAN EMPIRE

The first Hindu Empire of India was established by the Maurya Kings of Magadha; about 322 B.C. and Afghanistan and Frontier tracts of Northern India, including Kashmir, were ruled for a long number of years by the highly civilized methods of Civil and Military Administration under Chandra Gupta, and the Great Asoka (his Grandson). "There are rock edicts of Asoka still preserved at Shahbazgarhi, near Mardan." This administrative system conducted in accordance with the Sacred Law, is detailed in the *Arthasastra of Kautilya,* the work of a famous Minister of Chandra Gupta dating 300 years B.C. and represents the Golden Age of India. Buddhism became the dominant religion in Gandhara (Peshawar district), and Pakhli (Hazara district).

"The Singhalese chronicle, the *Mahavansa,* also records the name of the Buddhist apostle Madhyantika who, sent by Asoka, converted the people of Gandhara and Kashmir (C. 256 B.C.)." This was then the State religion governed by its own supreme council. Seleucus, the Greek successor of Alexander's Bactrian territory, had advanced to the Indus, but under terms with Chandra Gupta withdrew in favour of the latter who occupied the Indus plain and the greater portion of Afghanistan as part of the Mauryan Empire. An account of the social and political institutions of the time is to be found in the travels of Megasthenes, the Greek Envoy, who was sent to Chandra Gupta's Court at Patna. The statements and observations of the Greek writer reveal an elaborate, and highly organized system of Imperial Administration, which excepted certain "Autonomous Cities," or subordinate kingdoms, and gave them the liberty of their internal affairs, subject to payment of tribute to the Emperor. The Great Asoka's edicts and inscriptions found at Shahbazgarhi, and near Mansehra, mention his Government of Taxila, in the Panjab, as one of his subordinate territories. The Mauryan Empire culminated in the reign of the

great Apostle-Empire Asoka, "a figure of supreme spiritual loftiness amongst rulers of all times and nations."

The Frontier Policy of Asoka.

The Frontier Policy of Asoka was to maintain peaceful relations with his neighbours, and not to enlarge his Kingdom by conquest. The first Kalinga Edict desired that "the unsubdued borderers should not be afraid of me, that they should trust me, and should receive from me happiness, not sorrow." Asoka died in 231 B.C. and the extinction of Buddhistic dynasty may be put down about 165 B.C. when Asoka's Empire passed away, Buddhism, as a State Church failed, and it was gradually reabsorbed into Hinduism. The Jains are now the only sect in India, leading gentle innocent lives, whose doctrines have some kingship with Buddhism.

8. FOREIGN INVADERS OF N.-W. INDIA. THE BACTRIAN KINGS

Peace and security lasted in N.-W. India till the end of the Mauryan Empire, but with the decline of that Kingdom, when the Central Government ceased to function, the Empire fell back into a number of provinces, or disunited states fighting for supremacy, and weakening each other in a struggle to survive. About the middle of the second century, until about 135 B.C. the rival houses of Bactrian Kings held alternate sway, the *Eucritides* ruled Bactria, Kabul, Gandhara, and Taxila; while *Euthydemos* dominated the Panjab from Sabala (Sialkot); with intervening periods of Tartar conquests and spoliations, which came in successive waves through the mountain passes of the North-West border to harass and loot the unwarlike native inhabitants of the country. "Diodotus, the son of the founder of the Seleucid empire was deposed by Euthydemos, whose son Demetrius carried his arms across the Hindukush and conquered the upper Kabul valley and Gandhara (C. 190 B.C.)." The Province was ruled for two centuries by Greek Princes of Bactria, but Menendar is the only Yavana, or Indian King of historic importance who ruled efficiently over a Kingdom extending from Kabul to the Panjab.

9. THE SCYTHIANS

About 135 B.C. the Scythians, called *Sakas*, moving westward under pressure of Chinese nomads, conquered Bactria, and

progressed along the route of Western and Southern Afghanistan and Baluchistan into the country of the Lower Indus, expelling the Greeks. With these invaders came the *Pahlavas,* or Parthians from Seistan and Kandhar districts, but the Bactrian house, of Gandhara and Taxila, maintained its final hold in the North-West until 25 B.C.

10. THE KUSHANAS—OR YUEK-CHI

In the North-West Frontier another wave of invasion came from Chinese quarter about 165 B.C. to the middle of the first century A.D., when the tribe of *Kushanas* driven by the Huns from their own mountains, inundated the country then occupied by the *Yavana, Saka,* and *Pahlavi* rulers; and from the Bactrian base mastered the modern Southern Afghanistan. By about 79 A.D. the *Kushanas* coming from Central Asian Highlands were ruling in Taxila, and the *Sakas* and *Pahlavas* continued to rule their own states in the country of Lower Indus under Kushana suzerainty. "The coins of the Saka rulers, Manes, Azes, and Azilioes, are frequently recovered at Taxila, and in Gandhara, and an inscription of a Pahlava ruler, named Gondopharnes, recovered at Takletbai, and dated in the 26th year of his reign and in the year 103 (of Vikrama Sambat), is preserved in the Lahore Museum." The Empire of *Kaniksha,* the third of the Kushana Kings, embraced all the territory of North-West India, and Kashmir, with *Purushpura* (Peshawar) as his capital. His descendants ruled over *Kashghar, Yarkand,* and *Khotan,* where traces of Buddhistic monasteries exist. The Sakas had been Hinduized, and bore Indian names. Their Empire broke up under Vasudev about 225 A.D.; but the Kushan Kings continued to rule over the N.-W. Territory up to the time of White Hun invasion of the fifth century. It is to this era that most of the ancient monuments of Gandhara from the stupas of Khyber to the ruined walls at Hund, in the high banks of the Indus are to be assigned. The Gupta Empire founded about 320 A.D. by Chandra Gupta lasted more than a century. A line of Gupta rulers continued to rule in Magadha in the sixth, and seventh centuries. This Gupta Empire, which represents for Hindus the Golden Age of India, was a period of Brahmanical revival and brilliant literary activity. In the beginning of 7th century King Harsha related to Gupta family by blood, was ruling over the Panjab and one of the five provinces then

under his Sovereignty. This reign "illuminated for a short space the obscure but gloomy annals of internecine war, until they reached almost the darkest period of all during the two centuries before the great Mohammedan invasions." These two centuries of medieval age in India were marked by a conspicuous lack of political unity and solidarity. But they were by no means unimportant and barren. It was not a "dark" age as the period was one of great development in art and religion ..... "on the domain of literature, art (both useful and fine), science and mathematics, philosophy and metaphysics, these centuries were productive of fruits that were and still are of the greatest interest and value." "Great poets like Kalidas and Bhavabhuti, and great philosophers like Shankacharya and Ramanuja, and also other pioneers and masters in other fields, formed a galaxy of men of genius and talents which showed that an age of political disequilibrium and confusion in India was yet not necessarily an age of cultural depression and darkness and social disruption. The soul of India could, apparently, function to its best advantage in spite of her troubled politics."(*a*) The last traces of Indian art, language and culture disappeared, however, about the beginning of the 11th century, with the Mohammedan invasions.

(*a*). The Indian Annual Register, 1936, p. 30.

CHAPTER II

THE MUSLIM PERIOD

11. THE ARAB INVASION

In the beginning of eighth century, Islamic power first arose in Arab, spreading soon after to Syria, Egypt, Persia, Asia Minor, North of Africa, and Spain. The Arabs came down to India across the sea from Mesopotamia when a Sudra ruler in Sind and Baluchistan had been replaced by a Brahmin dynasty about 710 A.D. In 712, the Mohammedans succeeded in over-running and subduing Sind. The invasion was sanctioned by the *Khalifa* of Baghdad, and the conquered Sind became an Arab Province when the Brahmin Rajá was slain. Later two independent principalities, nominally professing to be vassals of the Caliphate ruled Sind and Multan, but the Arab chiefs were tolerant to the Hindu neighbours, and no serious attempt was made to propagate Islam by force of arms, in the Upper Punjab. Islam at that time never penetrated beyond the lower valley of the Indus.

12. TARTAR, AND AFGHAN INVASIONS

By about the 10th century, Northern India consisted of a number of independent Hindu Kingdoms, not sufficiently organized to be able to resist any foreign aggression, and who were normally at war with each other. This was a most favourable opportunity for the commencement of a series of Tartar or Turkish invasions of India from Afghanistan, and Central Asia, against Hindu dynasties Meanwhile, an independent Turkish principality had been established by *Alaptagin,* with his Capital at Ghazni, a fortress lying about eighty miles south of Kabul. This territory adjoined the Hindu Kingdom of *Raja Jeypal,* of the Panjab, Kashmir and Multan, and had been unsuccessfully invaded by the latter in 973 A.D. A few years later, in 986 A.D. *Sabuktagin,* the third in the generation of the Slave Kings of Balakh and Ghazni invaded Raja Jeypal's territory which he conquered with the help of savage and barbarous Moslem races like Waziris, Afridis, and others that followed in his wake. Peshawar and all the plain west of the Indus, including Kabul

was occupied. *Sabaktagin* was succeeded by *Ismail,* who was dethroned by his elder brother Mahmud in 998 A.D. These invasions by wild hordes in their hunger-lust for the wealth of fertile and rich plains of Northern India, and for the propagation of Islamic faith by force of the sword, which was the earliest mode of its propagation, became most persistent and virulent when *Mahmud of Ghazni* started his periodical visits of loot, and carried an unholy war into the "Infidel India." *Mahmud of Ghazni,* surnamed "Sultan" by reason of his numerous raiding conquests, was most remarkable character, a patron of art and literature, but he was notorious for his iconoclastic tendencies and misguided religious zeal which took the evil form of lying waste and plundering hundreds of Hindu temples, and destroying their sacred images ; and his diabolic achievements include the spoliation of Somnath, the plundering and desecration of *Muttra;* the kidnapping of thousands of Hindu youth, who were forcibly converted to Islamic faith and circumcised.

The successes of his repeated invasions, about seventeen in number accompanied with massacring and plundering far and wide, broke to pieces the political power of weak, and disorganised *Hindu Rajas* in the North of India, and his Indian invasions extended from the *Indus* valley to the *Jumna,* and *Kanauj,* on the North and to *Kathiawar, Gujrat* in the South. Mahmud was never bent upon a permanent conquest of India, his efforts were confined rather to marauding expeditions on an increasingly large scale, than to extending his Empire. However, all the trans-Indus portion of the present Frontier Province was held in fief by him. But, his brother Muhammad Ghori of Ghazni occupied Peshawar in 1180 A.D. and some six years later ruled at Lahore in the heart of the Panjab thus initiating a new phase of Mohammedan dominion, and the spread of Islam over Northern India, including the North-West Frontier. During the twelfth century the tract now included in Peshawar District, formed a Province of Ghazni, under Mahmud and his successors. The Turks, though not an uncivilized tribe, and possessing an organized administration, were almost savage in their methods of warfare, and their repeated invasions through North-West, with a large army and cavalry supported by the inevitable loot and forced requisitions from the inhabitants, must have resulted in a chronic state of dread and disaster and a most unsettled

condition of life. From this point down to the time of Mughal rule, it was a period of anarchy and misrule, by warring dynasties who invaded India for purposes of plunder and who practically converted this Province into a howling wilderness.

13. THE PRE-MUGHAL DYNASTIES

Mohammad Ghori, after annexing the Panjab, and taking Bhatinda, had to leave a Governor for his Indian dominions when the affairs at his Ghazni Capital called for his personal attention. His slave *Kutub-ud-Din Aibak*, a truty Turkish Officer was made a Muslim ruler of Northern India, but he could not suppress the dangerous Khokhar rebellion near the Salt range of the Panjab. In 1205, Muhammad Ghori returned to India, succeeded in suppressing the rebellion, but on his return march was assassinated by a fanatical heretic. Aibak then assumed the royal title of Kutub-ud-Din founding the slave dynasty of Delhi.

The "*Kutub Minar*," the loftiest of all minarets, still towers above the great mosque into which he built the ruins of Hindu Temples proudly naming it, "The Power of Islam."

The Slave Dynasty.

"The rule of the Slave Kings was one of the utmost ferocity, no man's life was safe unless he was a "true believer." "To kill an idolator was a meritorious act. The Hindus were ground down by extortionate taxation levied by force." (*a*)

After his death, his son a weakling ascended the throne, but was deposed by his brother-in-law; his own son-in-law, *Kabacha*, Governor of the Panjab with his allegiance from him. The Panjab was later recovered from Kabacha by Altamash, the greatest of the Slave Kings. On his death his son *Firuz*, a weak and licentious prince, was raised to the throne, but was deposed and put to death six months later. The royal slaves, forming a Council of forty, then elevated Raziyya Begum, the daughter of Iltumish, to the throne ; and when her preference for a Negro Officer caused a rebellion, her brother Bahram became the King. During his reign, the Mongols invaded the north-west up to Lahore, and laid the city waste: and there was another Mongol invasion from the west during the reign of Masud, the son of Firuz who next succeeded him to the throne of Delhi.

(*a*) "Swaraj" by Captain J. E. Ellam.

14. MONGOL INVASIONS

During these troublous times, about the latter half of the 13th century, the Slave Kingdom had fallen into disorder and had to contend against the numerous Mongol invasions which disturbed the country, completely devastating it to the west of the Jhelum, and also in the neighbourhood of the Salt range. The Mohammedan Kingdom of Delhi under the Slave Kings was not a homogeneous political entity, but a conglomeration of feudatory states, in which the Provincial Governors were the centres of Muslim influence, working through the subordinate machinery of Hindu agencies collecting the revenue from the tillers of the soil. The North-West Frontier districts were constantly devastated by Mongol raids, and whatever cultivation was possible by the Zamindars, the major portion of the product was taken away as revenue collection.

15. THE KHILJI EMPIRE

After the death of Firuz Shah, the last of the line of Slave Kings, THE FIRST MUSLIM EMPIRE was founded by Khilji's a Turkish tribe, who had long been domiciled in Afghanistan, and had adopted some of the Afghan habits and customs. The reign of Alauddin Khilji in the Delhi Kingdom from 1926 to 1316, though a reign of terror, saw the commencement of the Imperial rule which lasted for nearly half a century, putting down various rebellions over the whole of the Indian Peninsula. The feudal system was abolished; several ordinances abolishing summarily the revenue grants and stipends of the Turks, and the use of wine and liquors, were issued, and a system of spies was established to report not only breaches of the ordinances, but all matters of political importance. His methods of Government were those of grinding tyranny and extortion "Nearly the whole of the produce of the land held by the Hindus was taken from them."(*a*) The Hindus were taxed most heavily, and a special Code of laws was framed against them, under which rigorous measures were enforced to keep them in poverty and humility. He declared that they would never become submissive unless reduced to poverty. "I have therefore given orders," he said "that just sufficient shall be left them from year to year of corn, milk, and curds, but they shall not be allowed to accumulate hoards and property."

(*a*) "Swaraj" by Capt. J. E. Ellam, p. 89.

Economic laws were enacted fixing a low scale of prices for the necessities of life, and lessening the cost of maintaining the standing army. During Alauddin's time, Mongols, called Mughals after their conversion to Islam, twice invaded his Delhi dominions, with the object of conquest. His favourite slave, *Ghyasuddin Tughlaq,* under the name of "*Hazar-dinari,*" or "*the* thousand-dinar slave," was sent to oppose them. He managed to cut their retreat after inflicting on them a crushing defeat, and brought back their leaders and eight thousand men to be publicly beheaded in Delhi.

16. MUGHAL MASSACRES

The Mughals sought to avenge their defeat by further invasions in 1306 and 1307, but they were again defeated by Tughlak, and the captives were publicly executed. During all the "Ghazi" Malik's time there was never peace on the Frontier, and the Mongols were active in the Panjab throughout although he declared in an inscription to have defeated them, on twenty-nine occasions. They had settled in the country after accepting Islam, and had been provided for in the military service of the Crown, but the "New Muslims were a source of constant trouble, and a decree for their general massacre was issued ensured by a promise of the victim's property to the slayer."

17. THE TUGHLAK EMPIRE

After the death of Alauddin in 1316 and the murder of his son *Mubarik* in 1320, Tughlak, "the old warden of the Frontier", came into power, and his five years' rule, 1320-1325, was a period of comparative peace and prosperity. His son Muhammad Tughlak, who ruled from 1326-1351, was a peculiar character. He had a most speculative, and unsteady turn of mind, and all his grand projects suffered for want of a sound judgment, and fixed purpose; and rebellions against his misrule were visited by a relentless ferocity of temper, breeding in its turn further rebellions against his disaffected subjects.

"He was utterly careless of human life, indifferent to suffering, and, as a judge, was merciless". "His tax extortions exceeded even those of his predecessors. He increased the land tax tenfold, and in some places twentyfold." "The unfortunate ryots fled into the jungles. Mohammed then devised a

man-hunt unparalleled in its wickedness. He would order troops to surround a large area, and then the circle closed in. All found within it, men, women, and children, were slaughtered like wild beasts." (a)

The Kingdom survived only because the Mongols relaxed their pressure on the Frontier having settled peaceably in India. His son *Firuz,* from a Hindu mother, ruled peacefully from 1351-1388, helped by a Brahmin Minister, Makbul, who had been converted to Islam. The Mongols on the Frontier were not active, and under the just and sagacious policy of *Makbul,* the Kingdom attained a considerable degree of success in restoring peace and prosperity to the peasants who had to pay only a reasonable revenue, and the desolate country was recultivated, and order was completely restored. But there was a change for the worse soon after Makbul's death in 1372: and during the next quarter of a century, six unsuccessful reigns followed in quick succession, to be replaced by the Great Mughal Empire. This country knew no peace during all these early centuries which saw many Pathan or Afghan tribes steadily shifting eastwards from Afghanistan and constantly exerting an unwelcome pressure from the north and west upon the earlier inhabitants. This explains the present distribution and composition of population in the North-West Frontier Province.

18. THE MUGHAL EMPIRE

Towards the end of 14th century *Timur,* or *Tamerlane,* the Great, who was first crowned in the Oxus country and later conquered Persia and Turkistan, turned his attention to India, and marching through Afghanistan, and North-West India, reached beyond Delhi, slaughtering and plundering the citizens of the territories he visited, and completely breaking up the Turkish Kingdom. He swept down the country like a whirlwind from the North, and then went back as suddenly to Samarkand, leaving Delhi in ruins. There was general massacre of the unfortunate inhabitants of the city for full five days.

After Timur's death in 1404, his descendants parcelled out his empire, and *Babar,* his grandson, succeeded to the small principality, of Farghana, in Turkistan, at the young age of twelve. In the beginning of 15th century, THE SAYYID DYNASTY, and then about the middle of that century, the AFGHANS OF LODI tribe

(a) "Swaraj" by Capt. J. E. Ellam, p. 91.

occupied the throne of Delhi, and governed the Panjab, somewhat summarily, without any regular administration, by extracting revenue from the peasants under force of arms, which was a mode of government only a little better than anarchy, and brigandage which had preceded it at the fall of the Tughlaq Empire. The N.-W. F. Province is since the 15th century practically constituted as the country of the Pathans, some apparently of Indian origin, but others of foreign extraction, which became " blended together into one nation by long association and intermarriage with Pushto as their common language". In the beginning of the sixteenth century, the Mughals under Babar, a great grandson of Timur, came into contact with India when Alam Khan, the Lodi Governor of the Panjab, who had fled to Kabul, sought Babar's help against his nephew Ibrahim. Babar attacked Lahore; plundered and burnt the town, set up Ibrahim's uncle to rule the Province, and himself retired to Kabul to prepare for his conquest of India.

19. BABAR BADSHAH

He had ruled in Kabul for twenty-five years, when in 1525, Babar led his army into India, and was met by Daulat Khan Lodi, who was hopelessly defeated. He next put to rout the great army of Ibrahim Lodi, at the historic BATTLE OF PANIPAT, on the 26th April 1526 ; and next day he proceeded further to occupy Delhi, and Agra, where he was proclaimed Emperor, under the name and title of *"Zahiruddin Muhammad Babar Badshah"*, thus founding the Great Mughal Empire, which for more than two centuries, was the greatest power in India before the British advent. Babar established himself firmly in India by defeating the Rajput confederacy under Rana Sang (Sangram Singh) at the battle of *Fatehpur Sikri,* in 1527; and his next successful campaign was directed against the Afghans in Bengal and Bihar in 1528, before he became the undisputed master of Northern India.

First Battle of Panipat.

Battlee of Fatehpur Sikri.

20. HUMAYUN

Babar died in 1530 and was succeeded by his eldest son Kamran nominally owning allegiance to the Delhi throne, who held the Government of Kabul, and had annexed the Panjab and the North-West Frontier. Humayun got no help from his brother when the

former retired into Sind as a fugitive from the Afghan ruler Sher Shah, after the battle of Kanauj, in 1540. However a few years later, Humayun drove his brother Kamran from Kabul, and occupied the same position which his father enjoyed before the conquest of India.

21. SHER SHAH SURI

In the time of Sher Shah, the Land Revenue Administration was reformed, and the great trunk roads were opened for public traffic, "furnished with caravanserais, wells, and every convenience for the comfort and the safety of the traveller".

Religious persecutions were unknown, and "wise and judicious measures of administration" were adopted. Humayun was able to restore the Mughal Empire in 1555, when the descendants of Sher Shah fell out with each other, and Sikandar Sur, then holding the Panjab was defeated at Sirhind. But he did not live long to enjoy the recovered Kingdom, and in 1556, his son *Jalaluddin Muhammad Akbar* was enthroned at Kalanaur, in the Gurdaspur district, where he was then engaged in operations against Sikander.

22. AKBAR THE GREAT

The early Mughals had made no great administrative progress beyond the rough system of Afghan rule under the Lodi dynasties but Akbar the Great, imitating the regular methods of civil, and military administration introduced by Sher Shah Suri, and following his mode of revenue assessments, started and elaborated the agrarian system which brought peace and contentment throughout the Mughal Empire.

"Akbar the Great was the first of the Mohammedan rulers who had ideas beyond murder and pillage. He fought when compelled to do so, but preferred a policy of concession, and pacification where possible".

His rule was distinguished by remarkable features of justice and good sense. There was no hereditary nobility, but officers of position lived on grants or assignments of revenue, which were resumable at pleasure, the favour of Emperor, depending upon the quality of administration as the decisive factor. "He appointed Hindus to position of trust. His Finance Minister, Raja Todar Mal, was a Hindu. To others he gave commands in the army".

The Hindu Chiefs were recognised as hereditary Nobles of the Empire. The Emperor was an indefatigable worker, and personally controlled his vast administration carried on by efficient and able Ministers, both Hindus, and Mohammedans. He was ambitious as a conqueror, and had added Lower Sind, Eastern Baluchistan, and the great Persian fortress of Kandhar to his Northern dominions, while he extended further South his Kingdom including Berar, and Khandesh within the Empire. In spite of the extent of his territories, he evinced the keenest personal interest, and most eager curiosity for the minutest details in different departments of good administration. What distinguishes his rule, from that of his predecessors, or successors, is the fact that in early life he was a devout Muslim, but as he advanced in life and worldly experience, he felt drawn to Hindu mystic philosophy and gave way to religious ecstasies. He had liberal views and marked learning towards Hinduism, wrongly attributed to the influence of Faizi, the poet, and Abul Fazl, the historian, the two famous sons of Sheikh Mubarik, who joined his Darbar long after the conciliatory policy had been launched by Akbar. Either because, as a matter of principle he wanted his own spiritual satisfaction, or because the policy of religious toleration was calculated to pay him most, under the circumstances in which he was placed, Akbar the Great initiated religious discussions, somewhat analogous to modern conferences of World Religions, of representatives of different faiths, Hindus, Jains, Parsees, and Christians, intended to discover the truth. The Divine faith, (*Din-Ilahi*), of which he professed to be the sole authoritative exponent was not quite a success in the priest-ridden India; but, it was obviously meant by its author to unify the subjects of the Empire by the bonds of a common faith. He was dreaming to be the spiritual as well as the temporal ruler of Hindustan. At any rate he felt that "Justice and toleration" should be the keynotes in the Imperial policy adopted for the consolidation of the great Empire he had inherited, or acquired. "He was the first and the only Mohammedan ruler of India who systematically attempted to weld her many peoples into an Indian Nation by other means than force".

As regards the affairs on the North-West, Kabul was alloted to his half-brother Muhammad Hakim, who was an independent ruler. The latter's covetousness led him to invade the Panjab in 1566, and again in 1580, he formed himself as the temporal head of Indian

Emperor Jehangir
(By kind permission of the Curator Museum, Lahore)

Moslems, who felt irritated by the Emperor's apostasy from Islam, under the influence of his benignant policy towards his subjects of other religions. Akbar met the second invasion of the Panjab, by his step-brother, resolutely, and pushed him back to Kabul. In 1585, on the death of his younger brother, Kabul was occupied by Akbar, and Kashmir was annexed next year. Later in Akbar's reign there was trouble on the border of Swat and Bajaur, but punitive measures were taken. His Empire extended "from the heart of Afghanistan, across India north of the Vindhya hills, eastwards to Orissa, and southwards to Sind. In Southern India he was less successful, but eventually pushed as far as Khandesh in the Deccan".

Through all their centuries of effort, the Mohammedans never succeeded in subduing the whole of India. Akbar's last few years of life were saddened by the revolt of his son Jehangir. He died in 1605.

23. JEHANGIR

Like his illustrious father, Jehangir was most ambitious, but at the same time a competent administrator. He was just and considerate, but unlike his father had no set policy or steadfast purpose of pleasing all his subjects of whatever caste, colour or creed. He was anxious for good administration, but was content to leave it in the hands of his capable wife Nur Jehan helped by her father and brother, who practically ruled in his stead. He was a wise ruler when in his sober moments. He was a more orthodox Muslim than his father had the utmost solicitude for his Muhammedan subjects, but he was not intolerant of Hindus or Hinduism, and he maintained his touch with Hindu ascetics, or with Jesuit missionaries out of regard for their convictions. In his internal administration he followed the conciliatory policy of his father towards Rajput Chiefs, and his Hindu subjects, but the Prime Minister, and the Empress were less concerned with ensuring the future stability of the Empire than with consolidating their existing gains During Jehangir's time official exactions increased, and the favourite courtiers and Generals as assignees of State revenues were harsher in their measures for its recovery from the peasants. He was less efficient and more careless in matters of administration than his illustrious father. His reign was marked by increase in crime, and the unsafety of public roads. There was deterioration of financial administration, for the taste for

luxury and display had increased the State expenses while mismanagement by, and personal rapacity of those in authority involved recurring deficits. Jehangir even if he found time to realise all this, was too much given to personal enjoyments to trouble much about his affairs of State. This was especially the case in remote corners of N.-W. India, which seem to have been very much neglected during the pleasure trips of Jehangir's court to Kashmir, his summer resorts. During his reign "summary orders which held villages or group of villages responsible for a lump sum were substituted for separate assessments on individual holdings."

His last years were unhappy. Just as Jehangir had rebelled against Akbar, Shah Jehan his son rebelled against Jehangir.

24. SHAH JEHAN

Shah Jehan ascended the throne in 1627, and ruled for over thirty years. He was the son of a Rajput mother, and there was some intrigue regarding his succesion to the Mughal Empire, but he was an orthodox Muhammedan, who put the interests of Islam above other considerations. During his prolonged rule, Hindus were prevented from building new temples, and the Jesuit missionaries at Agra found themselves in difficulty. His internal administration was more costly than that of his predecessors, and the increased revenue demands made the peasants leave off agriculture for other occupations. His external relations led him to extend his dominions in the North-East by the conquest of Balakh which he found difficult to hold. The magnificence, and splendour of his rule was in proportion to the weakening of the economic resources of the Empire. His most artistic and bejewelled Peacock Throne is estimated to have cost him over a million sterling. His monumental mosques, and beautiful buildings like the palace and fort at Agra, and especially the unsurpassable tomb of Taj Mahal nearby, show the sublime taste for high class architecture which he had developed to the everlasting glory of the Mughal Empire in India. During his reign there was an appalling famine of 1630-1631, the horrors of which it is not possible to record. The table of depopulated country; of tragic suicides from hunger, of calamitous cannibalism, when men devoured half-starved living persons lying in streets, or in roadside journeys, is too sad to bear repetition. There were other great famines in different parts of the

Emperor Aurangzeb.
(By kind permission of the Curator, Museum, Lahore)

Empire between the years 1636, and 1661, which seem to have wrecked the social and economic life of the country.

Politically the Empire was not at peace. Between Kabul and the Panjab, or the North-West India with which this account is directly concerned the Khattaks had been constantly giving trouble, but were repressed and later the Yusafzais were reduced to order, by repeated moves of the Imperial army between the Panjab, Kabul and Kandhar. Towards the end of his rule, his days were further saddened by the revolt of his son Aurangzeb, who deposed and imprisoned his father, in his palace, where he survived in comfortable captivity for seven years. As Sir Valentine Chirol remarks:

Khattaks and Yusafzais.

"Treachery had become a habit of the reigning house which every Emperor practised and suffered from in turn."

25. AURANGZEB

Aurangzeb was crowned Emperor in 1658, after defeating Dara Shikoh his eldest brother who fled to the Panjab. He assumed grandiloquent title of "Alamgir"—the conquerer of the Universe. He had great experience of administration when he sat on the throne of Great Mughals at the mature age of forty. He had numerous good points of character. A devout Muslim, he had a deep sense for a pure moral life. He was distinguished for great personal courage, and strength of will, and possessed marked intelligence, and an untiring industry. His one great ambition was to organise his great Kingdom in strict accordance with *Shariat*. But he was altogether onesided, and lacked true statesmanship. In his zeal for a rigid and stern Muslim rule in India, he forgot his Hindu subjects against whom he betrayed unreasonable intolerance.

"Aurangzeb was a narrow and bigoted Moslem." His reign was a tragic failure due to the reversal of the policy of conciliation adopted by his great predecessor, Akbar. He subordinated his political policy to religious restrictions, and his methods of administration suffered in consequence. In finance he introduced differentiation of custom duties in favour of Mohammedans; and reimposed Jizya-tax or Poll-tax on all "infidels". In holy places like Benares and Muttra he wounded the religious susceptibilities of Hindus by reconstructing their temples into mosques.

Errors of policy.

His loyalty to Islam made him oblivious of the deep disaffection among the major portion of his Hindu subjects, by his blind bigotry, and unbridled zeal in religious persecutions and desecrations. He introduced distinctions of race and creed, and partiality in public services, which made various departments the monopoly of Muslims. He made every possible effort to crush the Hindus, by enacting insulting laws against them. "He passed a stupid law that no Hindu should ride in a litter or on an Arab horse without permission". He alienated the Hindus by putting an end to their religious fairs, commanding the demolition of their schools and temples; prohibiting their religious form of worship; and restricting the celebration of their festivals, and forbidding even their social mode of salutation. Converts were given public appointments, at the expense of other Hindus who lost their jobs due to their religious beliefs: old-established grants to Hindu institutions were withdrawn, and altogether it appeared as if the basic policy of administration adopted by him was that India was for the benefit of Muslims, and the majority interests of the Hindu community were to be subordinated and sacrificed to the exclusive benefit of the Muslim minority. This policy lost Aurangzeb all sympathy and support of his Hindu subjects, and proved to be the chief cause of the downfall of the Mughul Empire. The Marhatta rebellion in the South was in fact a religious revolt of Hinduism against Islam. During his time troubles arose beyond the Indus due to YUSAFZAI RISING under the influence of a local Mulla, which led to tribal encroachments on Imperial territory near Attock. This was suppressed in 1667, by retaliating measures of columns being sent against them, invading their country, destroying their crops and burning their villages. But five years later Afridis rose in rebellion irritated by the conduct of Governor at Jalalabad, and induced several other tribes to join hands with them against the Imperial army under Muhammad Amin Khan, who passing the Khybar Pass from Peshawar had entrenched himself at Ali Masjid. The Afridis cut off his water supply; slew or captured over ten thousand Mughals and secured twenty million worth of cash and goods, and obtained further big sums as ransom for the captive officers, and their families. This serious reverse of Mughal forces encouraged the Khattaks, under their Chief Khushal Khan to join the Afridi confederacy, and there was a general rising "from

Yusafzai, and Afridi rising.

Kandhar to Attock", which took long to be suppressed. Mabahat Khan, appointed Governor of Kabul, bought his safety by secret agreements with the tribes. His successor Shuja 'Khan was defeated and slain in the Karapa Pass; but, later another Turkish officer, Aghar Khan, summoned from the Deccan achieved some successes although other Imperial officers in different passes were badly beaten. Ultimately the Emperor himself conducted operations from Hasan-abdal in 1674, and by skilful diplomacy contrived to bring the situation well in hand by the end of 1675. His policy towards the border tribes was to set one tribe against another, and to subsidise their Chiefs, into keeping peace on the Frontier, where the establishment of military posts proved less effective. The tribesmen defied the strength of the Mughals for nearly three years before the Afridis made terms with Aurangzeb, and enabled him to reinforce his army which was operating in the South against the Rajputs of Marwar, and Rathor, and the Mahratta armies under Sivaji. Aurangzeb was absent for nearly a quarter of a century in the South, and his administration of the North had slackened. The local Chiefs in the Panjab and elsewhere were gaining power at the expense of the central authority, and the Sikhs, under religious persecutions, were organising into a military brotherhood. There were ample signs of disintegration setting in, although Auranzeb's prestige and military strength kept up the tottering Kingdom from an immediate fall.

26. THE SUCCESSORS OF AURANGZEB

Aurangzeb died in 1707, and within twelve years of his death, there were five reigns, with three wars of succession. One of his sons *Shah Alam* was the Governor of the Panjab and Kabul; and received the news of his father's death at Jamrud. On his way to Agra, he crowned himself under the title of BAHADUR SHAH. He was a feeble character supported on the Delhi throne by the trusted servants of his father for five years, but he could not control their mutual jealousies for power, and he had further to contend against a serious rising of the Sikhs in the Panjab under Guru Banda, falsely calling himself Govind. A series of religious atrocities under "Aurangzeb's degenerate successors, between the years 1710 and 1716, bore bitter fruit for the Mughals in later years". These were the persecutions

of the sect known as Sikhs in the Panjab occurred about the years 1710 and 1716. Bahadur's sons had family disputes about succession, and were weakened by wars against each other. His eldest son proclaimed Emperor under the title of JAHANDAR SHAH "was one of the most contemptible rulers who ever sat upon the throne of Delhi."

FARRUKHSAYYAR, a grandson of Bahadur Shah, replaced Jahandar Shah, and retained a temporary hold on the throne with the aid of his Sayyad Ministers. His attempts to reform the corrupt administration of the Empire only succeeded in creating many powerful enemies against him, and he was deposed, blinded, imprisoned, and later put to death by the Sayyad brothers, who raised one or two puppet kings, and after their early deposition RAUSHAN AKHTAR, another grandson of Bahadur Shah, was raised to the throne under the title of MUHAMMAD SHAH in 1719 A.D. The Majesty and the dominion of the dynasty had disappeared by this time; and the final death-blow was given to the Mughal Empire in the time of Muhammad Shah, by the successful invasion of another Tartan leader—NADIR SHAH—who crossed the Indus in the year 1739, "conquered in succession Kabul, and Lahore, and defeated the Mughal forces at the historic field of PANIPAT," went as far as Delhi, entering there as the conqueror subjecting it to 58 days looting, massacring its inhabitants, but who left India making the brother Turk to submit and agree to the cession of territory west of the Indus and the Province of Sindh in favour of Persia. Nadir Shah's dreaded name, and his black achievements have passed into signifying proverbial tyranny or outrageous cruelty. The Mughal Governor of Kabul became his feudatory under the throne of Persia.

Second Battle of Panipat.

27. THE AFGHAN EMPIRE UNDER DURANIS

Nadir Shah was murdered in 1747, and one of his Commanders, Ahmad Shah Abdali, came into power, who formed the Provinces of Kandhar, Kabul and Ghazni, along with the area around Peshawar, Sind, Derajat and Multan into an Abdali, or Durani Empire separate from India. This Empire stretched from Persia to the Indus and the Sutlej. It included Hazara and Kashmir, but the Great Abdali leader had an unsatiable ambition for further conquests, and he

passed and repassed, scores of times across the Indus twice invading the Panjab, and continuing his march to Delhi defeating in 1761, at the famous battle of Panipat, all the Mahratta and Moslem forces opposing him in the field. The joint forces of the Afghans and Mughals having got rid of the powerful Marathas, an Afghan officer ruled in Delhi, while a titular Emperor SHAH ALAM was settled down under British protection at Allahabad. Ahmad Shah Abdali ruled from 1747 to 1773, in Peshawar, and was followed by his son Timur Shah from 1773 to 1793. There were constant disputes amongst Shahzaman, Mahmmad Shah and Shuja-ul-Mulk, sons of Timur Shah for supremacy between the years 1793 to 1810. We have next a period of 18 years under Barakzai Sardar Yar Mohd. Khan, and next 6 years under Sultan Mohd. Khan, another brother of Amir Dost Mohd. Khan. During this period Civil administration was of the crudest type, and military power, of horse and foot soldiers and gunners, was prominent in keeping peace, and arranging revenue collections. The courts of law consisted of Kazis, and Muftis, the former gave judgments in cases of succession, and criminal offences, according to Mohammedan law, and during Sikh times, according to Hindu or personal law, of the parties. Before Sikh rule in this Province, the Central Power at Delhi or in the Panjab intervened to establish a sort of irregular and disturbed authority over the tracts now known as "frontier": but which were then practically a part of Afghanistan, and Afghanistan being an outlying Province of the Mughals, etc., there was no gate-keeper Province of India protecting it from repeated invasions from the west.

Third Battle of Panipat

CHAPTER III

THE SIKH PERIOL

28. THE RISE OF THE SIKH POWER

THE SIKH SECT founded by Guru Nanak late in the 15th century was a religious community, and remained a purely religious community during the time of the first five Gurus. The fifth *Guru Arjan Dev* suffered at the hands of the Emperor Jehangir, " for his indiscretion in making a gift or a loan to his son Khusrow when he was in rebellion." His son and successor *Guru Har Gobind* came in conflict with Shah Jehan, and was driven to Kashmir hills, losing his house and property which were plundered by the Imperial army. By this time the Sikhs had acquired "a definite military and political character." He was succeeded by his son *Guru Har Kishen*, and on his death in 1664, *Guru Tegh Bahadur* was accepted as Guru, in place of his father, after a disputed succession. Guru Tegh Bahadur openly defied Emperor Aurangzeb for his religious persecutions of Hindus and Sikhs, but was tortured and beheaded, after his capture, on his refusal to accept Islam. This martyrdom of 9th Guru produced the greatest of all Sikh Gurus in Guru Gobind Singh, son of Guru Tegh Bahadur, who put a new life and spirit in the Sikh community, organising them into a strong military brotherhood of *Khalsas* or *Singhs*. They gave a good account of themselves, under their tenth and last Guru, in the armed struggle against the forces of the bigoted Emperor and his hill chiefs from Jammu to Garhwal. Guru Gobind Singh was assassinated at Nander in November 1708, leaving no son; but one Banda falsely calling himself Guru Gobind, came up to the Panjab to carry on a war of independence against the Muslims, and achieved a measure of success in attacking Lahore, and ravaging the plain of the Panjab.

29. THE FALL OF AFGHAN EMPIRE

When Ahmad Shah Abdali died in 1773, he was succeeded by his son Timur Shah, who nominally reigned for nearly twenty years, most weakly, and inefficiently, pressed by the British at the Sutlej, harassed by Mahrattas of Central India, and unequal to the task of

Maharaja Ranjit Singh
(By kind permission of the Archaeological Survey of India)

preserving the Panjab against the rising Sikh forces of minor Chiefs combined into a powerful military unit by the skill and strategy of Maharaja Ranjit Singh. The Sikhs were then divided into *Misls*, or groups, and Ranjit Singh, the head of one of the Chief Misls or Barons in the Panjab, has gradually extended his authority over the country, by organising a strong military force. The failing Afghan Government under Zaman Shah, the grandson of Ahmad Shah, when troubled by political events on the Oxus, left the province of the Panjab to be governed by the Sikh leader Ranjit Singh, who declared his independence within the next three years, and taking advantage of the civil wars in Afghanistan, strengthened his position, pushed the Afghan settlers out of N.-W. Frontier into the barren and unproductive Afghan hills, and himself occupied the territory around Peshawar and Bannu, also Kohat and portions of Dera Jat. From 1818 to the date of the annexation of the Province by the British Government, the Sikhs were practically the masters of the country. The Nawabs of Dera Ismail Khan surrendered to a Sikh Army in 1818 and five years later, the Sikhs overran the Marwat plain of Bannu.

30. SIKH OCCUPATION OF PESHAWAR

In 1820, the Sikhs were in occupation of Peshawar, when Maharaja Ranjit Singh annexed Peshawar to the Panjab, he gave a part of it back as Jagir to three brothers of Amir Dost Mohammed Khan, the ruler of Kabul, and they were ruling Peshawar from 1810 to 1834 as Jagirdars of the Sikhs. In 1832, the Sikhs obtained a great victory over the Afghans at Nowshera and two years later General Hari Singh took possession of the Peshawar fort, and in 1836, a Sikh *kardar* replaced the Nawab of Dera Ismail Khan and a Sikh garrison occupied Kohat and Teri. Thus coming to the beginning of the 19th century, the Kaleidoscopic picture changes, and we notice a turn of the tide for Sikh forces driving back the Afghan tribes from India after the fall of the Afghan Empire. The Tripartite Treaty of 1809, amongst the British Government, Maharaja Ranjit Singh of Lahore, and Ex-Shah Shujah of Kabul, had fixed the Sutlej river as the Eastern boundary of Maharaja's territory, and his relations with the British Government were friendly. In Lord Auckland's time, British and Sikh forces had sought to regain the throne of Kabul for the refugee Shah Shujah, the combined forces were not allowed to march to Kabul *via* Peshawar, but went through

a roundabout road up the Bolan, and over the Khojak pass to Kandhar.

31. THE NORTH-WEST APPROACHES TO INDIA

During the last one hundred years great events have occurred which led to the annexation of the Panjab by the British Government, and the commencement of a new era of military operations in the North-West beyond the Indus. It would be recalled that the conclusion of the Napoleonic wars had left great Britain in firm occupation of the South-West route by way of Cape of Good Hope; Napoleon's invasions of Egypt, and the Russian moves in Central Asia, had created considerable alarm so far as the protection of British possessions in India were concerned, and the position of Afghanistan, and the tribal territories on the North-West Frontier thus had assumed a position of vital importance to the British Government, and largely influenced its foreign policy towards the Sikhs, and the Afghans, about the middle of the nineteenth century.

32. FIRST AFGHAN WAR, (1839-1842)

In 1832, Alexander Burns, with the approval of the Governor-General set out from India to Kabul and Bukhara, "to survey the possible routes of an advance towards India, and to test possible friendships which the British might form in the region." In 1836, he was sent back to Kabul as Commercial Agent. In 1837, the Persians, under Russian control, were moving towards Herat, and pushing out to recover the provinces, which had formed the Empire of Nadir Shah. The *Sadozais Afghans*, under Kamran, were then retaining Herat, and *Barakzai Afghans*, under Dost Mohammad, had established a Kingdom at Kabul. The North-West Frontier Province, and the Panjab were independent under Maharaja Ranjit Singh. Sindh had become independent of the Durani Empire, and was held under the Amirs of the Talpura family. In 1834, Shah Shuja's efforts to recover the Kingdom of Kabul from Amir Dost Mohammad had failed, and the latter had made overtures both to the English, and also to the Persians and Russia. The English and the Sikhs supported Ex-Shah Shujah, and in 1839. the "Army of the Indus," as it was called, reached Kandhar, and Shah Shujah was proclaimed the ruler of Afghanistan. Then they marched on to Ghazni, and stormed the strong hold of the Ghazni dynasty that

Sardar Hari Singh Nalwa.
(By kind permission of the Archæological Survey of India, Peshawar.)

re-established the British prestige, the forces returned to India, leaving it to the Afghans to choose their own Kings. Shah Shujah had been killed by Akbar Khan's soldiers, and the refugee Dost Mohammad was invited back from India to be recognised as Amir of Afghanistan. This excursion to Kabul *via* Kandhar was assisted by a few Sikh corps from Peshawar, where General Avitabile ruled on behalf of the Sikhs.

34. THE ANNEXATION OF SINDH

A brief mention may be made here of the fact that after the Afghan War was over, the Amirs of Sindh, under treaty obligations to the British, were accused of hostility to the English, and Sir Charles Napier deputed on inquiry, with full civil and military powers, decided upon the annexation of Sindh after defeating the deposed Amirs who had risen in arms against the British troops. This aggressive conquest of Sindh, though disapproved by the Directors of East India Company on moral grounds, was found extremely beneficial from a political point of view.

35. THE SIKH KINGDOM

Maharaja Ranjit Singh had established himself well over the "Panjab"—the land of the five rivers; and by 1820, he extended his rule even across the Indus, including Peshawar, Kohat, Bannu, and a part of Dera Jat, where the remnants of Afghan tribes, who had been driven back to their native homes, came under the Sikh sway as *Khirajguzars* or revenue-payers. It may be said that "Ranjit Singh created the North-West Frontier by sweeping the Afghans back across the Indus into their mountains." His territory included also Multan, and Kashmir; but it is a well-known fact that this shrewd ruler avoided all conflict with the British Indian Government then occupying the country up to the river Sutlej. He was known as "a firm and honest ally of the British Indian Government."

36. SIKH INTRIGUES AFTER RANJIT SINGH

Ranjit Singh died in 1839, in the height of Sikh power. He had ruled the Panjab for 40 years and North-West Frontier for nearly 20 years, restoring a sort of order out of the chaos in which these Provinces had been thrown during the last phases of the Durani Empire which had been founded on the ruins of the Mughal

Maharaja Kharak Singh

The Evolution of the North Western Frontier Province

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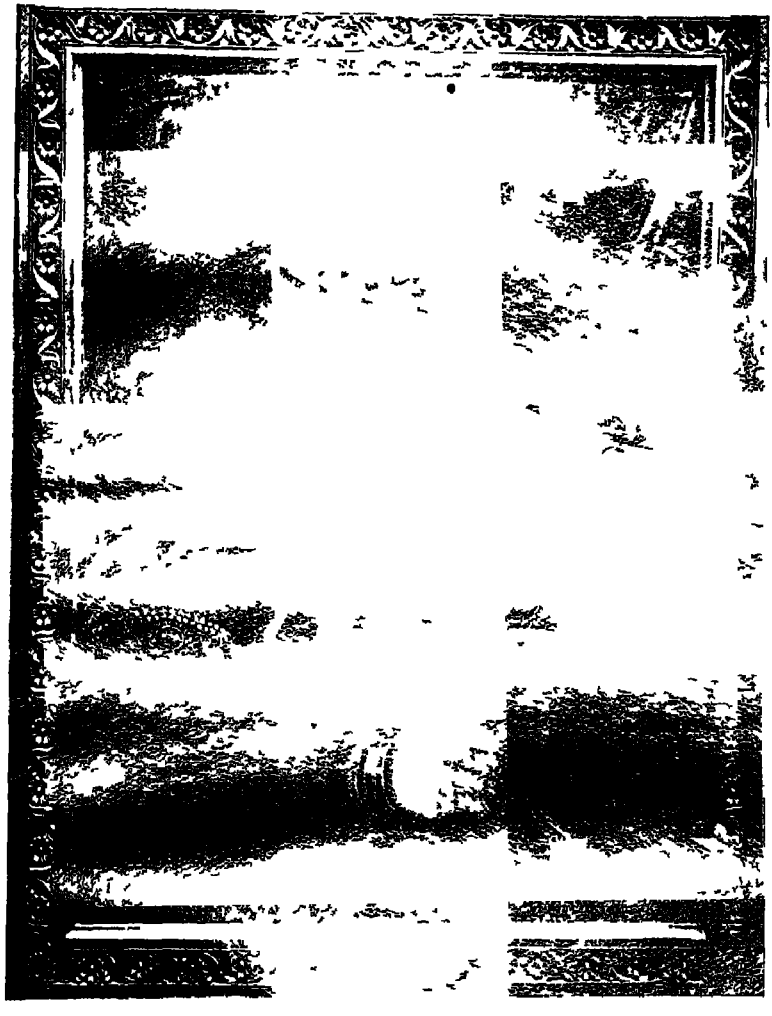

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from 1846 to 1848, on behalf of the Sikhs. The Sikh rule over the country was that of the sword alone, unless Herbert Edwardes, in service of the Sikh Durbar, began to administer a portion of the Frontier, and General Avitabile, the Italian, governed Peshawar for the Sikhs.

36.A. SIKH ADMINISTRATION OF FRONTIER DISTRICTS

The state of the Frontier territory during the Sikh regime is thus described by Major James in the Fifties:

"The maintenance of internal order was scarcely attempted; blood-feuds between districts, villages and families were unchecked or followed only by the levy of fines when the Government officers deemed it prudent to interfere..... Dacoities and raids were constant occurrences and but lightly thought of until their frequent repetition would cause the tribes in the plains to retaliate under the guidance of their Maliks or Arhabs".

37. FIRST SIKH WARS

The Sikh army trained by French and American officers, sought collision with the British forces across the Sutlej river, and suffered heavily in the first series of Sikh War, in the battles of *Moodkee, Ferozeshubr, Aliwal,* and *Sobraon.* They were led by desperate scheming politicians who sought the restoration of peaceful order in the Panjab by engaging the insubordinate, and the aspirant soldiery, whose discipline had vanished, in an expedition against their English neighbours to serve a double purpose. Some of the minor Cis-Sutlej Chiefs found themselves in an anomalous position. They had placed themselves under British protection in 1809, but held lands on both sides of the Sutlej. Their position and rights was the subject-matter of discussion between a disorganised Panjab Sikh Kingdom, and the powerful British East India Company, which held a strong reserve of army on the banks of the Sutlej, for any emergency. This movement was viewed with great jealousy by the Sikhs, whose massed troops lay on the other side of the river. In the confused state of Sikh supremacy in the Panjab, Rani Jindan's party seemed strong, but its position was shaky, and the army was not quite under control, and its reduction appeared to be best policy but could not be brought about by peaceful means of internal administration. Lal Singh, the favourite of Rani Jindan, was installed Wazir, and Tej Singh named Commander-in-Chief, "but their real authority was small". The army, and the Darbar had their suspicions against the increasing

British military forces, and took up an offensive by crossing the Sutlej, with a view to crush a threatened invasion of the Panjab by the British Indian Government. It is believed that the Sikh intrigues for power induced the Queen-Mother to divert the Sikh army leaders from dethroning her son, by thrusting them on the invasion of British India. The result was a serious conflict, and several well-fought battles, in which the Sikh forces, in spite of their training and natural bravery suffered disastrous defeats. But, Lord Hardinge, the Governor-General, could not find it possible to annex the Panjab when in February 1846, Lord Gough, the British Commander-in-Chief, brought his diminished army to besiege Lahore, and Amritsar. A portion of the Sikh army under an able General, Raja Sher Singh of Attaree, was then in occupation of Peshawar, and the prudent policy, which at the same time was generous towards the young heir of "a long-tried ally" was adopted of reseating Prince Duleep Singh upon the throne of the Panjab. The defeated soldiery later turned against Rani Jindan, and her weak paramour, and her *Darbaris* sought the protection of the British Government, by humble entreaties to carry on the support of the young Maharaja.

38. BRITISH INTERVENTION

The disturbed condition of the Panjab was ruining the State, while the British Indian interests required a strong Hindu or Sikh Government established at Lahore with a view to preserve a barrier between British India, and the Mohammedan borders in Central Asia. The danger of the Afghan armies crossing the Frontier of India, and sweeping the Cis-Indus territory was obvious: and the British Indian Government endeavoured to restore the Sikh Kingdom with the young Maharaja Dulcep Singh on the throne. Accordingly, giving up all ideas of the conquest of the Panjab, or even of a subsidiary alliance, Duleep Singh was formerly recognised as Maharaja.

By the TREATY OF MARCH 9th, 1846,

The Treaty of March 9th, 1846.

"the Sikhs were to surrender all lands and claims to the Southward of the Sutlej ; they were to pay an indemnity of a crore and a half of rupees, but of this only the half crore was to be paid in cash, the balance being liquidated by the cession of the Jalandhar Doab, and the province of Kashmir; the army was to be reduced and reorganised, and the arrears due to the soldiers who should be discharged were to be paid in full."

The important charge of the diplomatic relations was intrusted to Col. Henry Montgomery Lawrence, and another able political officer Major George McGregor.

"By supplementary articles signed two days later Hardinge agreed to leave at Lahore till the end of 1846, troops sufficient to protect the person of the Maharaja, and to maintain public order, but the Governor-General was at liberty to withdraw the troops if the Darbar did not proceed at once to the reorganisation of the army. By a separate treaty with Gulab Singh Kashmir was assigned to him for a payment of seventy-five lakhs of rupees. Both Gulab Singh and the Darbar agreed to refer to the Governor-General any disputes which might arise between them".

This arrangement was arrived at with a view of keeping the British forces temporarily in the Panjab to protect the Sikh administration which extended as far as the Frontier hills. The Pathans, though under Sikh administration, were practically

"governing themselves by their rude and sanguinary laws, as the Sikhs were unable to adopt any systematic restraint of these deep-rooted habits and feelings which filled the district with crime and blood." (*a*).

39. FAILURE OF SIKH ADMINISTRATION

But all hopes of a satisfactory settlement of the political conditions in the Panjab, upon which depended the contemplated withdrawal of the British forces, was destroyed by the failure of Sikh statesmanship in its attempts both at the reorganisation of the Sikh army, and in constructing a Government independent of the aristocracy, who could not combine owing to their mutual jealousies. An effective reform was virtually impossible within the year fixed by the treaty. Nor was the transfer of Kashmir to Gulab Singh carried out as undertaken by the treaty. Raja Lal Singh was opposed to the occupation by Maharaja Gulab Singh, and long delays occurred. For this treacherous act Raja Lal Singh was tried and found guilty by a Court Martial of five British officers, and the enraged British Indian Government, whose support alone maintained Raja Lal Singh in power as Wazir, demanded his removal, and he was deposed. At the request of the Darbar for the continuance of the British garrison, a new treaty was settled.

Council of Regency.

A COUNCIL OF REGENCY followed under the Articles of Agreement of 16th December 1846, by which the administration of the Panjab or Kingdom of the child Maharaja Duleep Singh was vested in a number

(*a*). Report of N.-W.F. Enquiry Committee, p. 32.

of leading Chiefs and Sardars "acting under the control and guidance of the British Resident." Sir Lawrence was of opinion that,

"By British interposition, justice and moderation are secured by an administration through native executive agency in accordance with the customs, feelings, and prejudices of the people".

40. SIKH GOVERNMENT UNDER BRITISH SUPERINTENDENCE

The treaty signed on 16th December, 1846, provided that,

"A British officer with an efficient establishment of assistants shall be appointed by the Governor-General to remain at Lahore, which officer shall have full authority to direct and control all matters in every department of the State....."

The Council of Regency was to act,

"In consultation with the British resident, who shall have full authority to direct and control the duties of every department". "The arrangement was to continue till Duleep Singh came of age on September 4, 1854, and the Darbar was to pay 22 lakhs a year for the maintenance of the army of occupation, while the Governor-General was to be free to garrison any fortress he chose within the territory".

Raja Lal Singh was removed, and Rani Jindan was excluded from further participation in the management of affairs. The following well-known officers were helping the Sikh government to maintain its control in the Panjab including North-West Frontier. Sir Henry Lawrence was appointed British Agent at Lahore. John Nicholson and Herbert Edwards were placed on duty at Dera Jat, and Bannu; George Lawrence, and Reynel Taylor were posted at Peshawar, Major Abbott in Hazara, and Mr. Herbert at Attock.

41. THE SIKH SYSTEM OF TAXATION ON THE FRONTIER

The Sikh system of taxation in trans-Indus area of Bannu, Tank, was absolutely irregular, and extremely harsh, backed up by military force, and it always deeply provoked the Afghan tribes with their peculiar sensitive ideas of freedom. In the Tripartite treaty, amongst Afghanistan, Sikhs, and the British Government, Bannu was among the dependencies of Afghanistan ceded by Shah Shujah, the Kabul ruler, to Maharaja Ranjit Singh, but the Sikhs claimed to have won the country by sword, and repeatedly visited it with immense regiments of infantry and artillery, and devastated the country they could not hold. The real nature of the periodical visit of the Sikhs for

purposes of the revenue collection is graphically described by Major James in these words:

"The periodical visits of the Sikhs were calamitous to the people; their approach was the signal for the removal of property and valuables, and even of the windows and door-frames of the houses; crowds of women and children fled frightened from their houses, and the country presented the appearance of an emigrating colony; as the hated host advanced, they overran the neighbourhood, pillaging and destroying whatever came within their reach and laying waste the fields".

42. THE POLICY OF CONCILIATION

When the Sikh Darbar drew the attention of their adviser, Col. Lawrence, to the collection of outstanding revenues from the rebellious villagers, he felt it is his duty to maintain the boundaries of the Sikh Kingdom as he found them. But, he arranged for a British officer ((Major Herbert Edwardes), chosen from the Resident's staff of assistants to see that the force sent by the Sikh Darbar to compel payment of revenue made no unreasonable demand, and that it resorted to arms only in extremity and committed no excesses. The first expedition, undertaken on the lines of trying to conciliate the Bannuchees, failed of its chief object, but the Sikh army under the influence of British officer, passed unmolesting and unmolested, and was able to reconnoitre the whole valley, and discover the real entrance and exit of Bannu. The second expedition was determined on the lines of permanent occupation and subjugation of the valley, and abandoning the old Sikh system of revenue collection.

43. THE POLICY OF SUBJUGATION

The country, which in the Christmas of 1847, Major Edwardes was ordered to subjugate to the Khalsa Crown, was a lovely valley of Eastern Afghanistan, bound in on three sides by mountains, and open on the south to the sister country of Marwat, the two together forming a valley which was separated from Dera Jat of the Indus by the lower Bhutan hills. Profusely watered by two streams, the valley was one in which the crops never failed and "where the rudest and idlest agriculture was overpaid with almost all the Indian grains in abundance." This prolific valley was then peopled by a Mongrel race of Afghans, *Bunnoochees, or Bunnoowals* (as they generally style themselves), an utterly, ignorant and superstitious class of people, under the sway of impudent religious imposters and holy vagabonds,

"who found in Bannuchis an easy prey and in their fertile fields a luxurious livelihood." The weak kings of Kabul had long ceased to draw secular revenue from Bannu, but the superfluous saints of Kabul found no difficulty in quartering themselves on the *Tappas*. When about the year 1822, the Sikh Empire risen upon the opposite bank of the Indus began its attempts to include Bannu within its dependency, the *Bannuchees* were quite resolved not to pay the tribute demanded from Lahore, and through a quarter of a century in the face of armies and devastations, they succeeded in maintaining their new gained independence. They lived under a Patriarchal form of Government which pervades in Afghan tracts in general, each tribe, or *ooloss* having its hereditary chief (or Mullick), in the same way that every household has its natural head. The fluctuations of power amongst them due to family dissensions had resulted in a large number of *Tappas*, or subdivisions who were generally ranged in two main *goondees* or factions. These Bannuchees although constantly at war with one another from their several high-walled forts, would naturally lay aside their private differences when they had to resist a common enemy, like the Sikhs; otherwise "this Mongrel and ill-organised peasantry was ill-ruled by Mullicks, and ill-righted by factions." The people and their social state, included the indispensable *ooluma* or religious characters; and the much abused and hated Hindu traders, shopkeepers and money-lenders, tolerated only as a necessary evil; and the Waziri interlopers, who were then by force of arms in possession of some serviceable tracts of the country for their pastoral needs.

44. THE EXPEDITION OF 1848-1849

In the well-known book "*A Year on the Panjab Frontier*," Major Herbert B. Edwardes, C.B., describes how in the eventful year of 1848-1849, he secured the bloodless conquest of the wild valley of Bannoo. In his own words,

"it was gained neither by shot nor shell, but simply by balancing two races and two creeds. For fear of a Sikh army, two warlike and independent Mohammedan tribes levelled to the ground at my bidding, the four hundred forts which constituted the strength of their country; and for fear of those same Mohammedan tribes, the same Sikh army, at my bidding constructed a fortress for the Crown, which completed the subjugation of the valley. Thus was a barbarous people brought pacefully within the pale of civilisation; and one well-intentioned Englishman accomplished in three months, without

a struggle, a conquest which the fanatic Sikh nation had vainly attempted, with fire and sword, for five and twenty years".

This book incidentally affords also an insight into the actual life and labours of an Indian Political Officer, who is generally attached to military expeditions,

"to interpret the political views of Government in sending them; to be the medium of all negotiations; and to assist the General with their local knowledge and local influence".

And a perusal of this work gives a juster conception of that Political Department of the British Indian Government, which "in the intervals of Peace," opens to British officers, "a field of distinction when that of war is closed."

45. THE BRITISH OCCUPATION OF THE PANJAB

We have seen already that Lord Hardinge's policy with regard to the Panjab favoured a permanent Sikh Government at Lahore, though with diminished strength both in territory and military power, to avoid arrogant conflicts of the Sikh forces with the British Government. This policy could not be adhered to by his successor Lord Dalhousie, whose seven years' period as Governor-General witnessed the Second wars of *Chillianwallah* and Gujrat, and the formal annexation of the Panjab in March 1849.

Second Sikh Wars.

After the treaty of 1846, "the position enjoyed by the resident and his officers did not pass unresented." THE REVOLT OF DIWAN MULRAJ in Multan had given occasion for his removal from office under the influence of the British Resident. Later, the British officer sent to instal a Sikh Governor at Multan was murdered, and Major Herbert Edwardes, then employed under the Council of Regency, twice defeated Mulraj, and drove him to Multan, laying siege of the place. But the Sikh besieging army went over to the enemy, and a rising broke out simultaneously which spread to the whole of the existing Sikh army. The Sikhs wanted a war, or a renewal of the war, and the British under Lord Dalhousie gave them a fight with vengeance, and when the Sikhs were defeated they lost their Kingdom to the British forces.

CHAPTER IV.

THE BRITISH PERIOD

46. THE BRITISH OCCUPATION OF FRONTIER DISTRICTS

Lord Dalhousie formally annexed the Province of the Panjab in 1849. Maharaja Duleep Singh was deposed, given a pension, and sent away to England. The British Frontier under East India Company moved from the Beas to Attock, and beyond, when the Sikh rule came to an end and the British forces marched into Peshawar valley, and other districts of Mardan, Kohat, Hazara, Bannu, and Dera Ismail Khan previously occupied by the Sikhs. The territories of Ghazni, Kabul, and Jelalabad, which were once a part of Hindu India, under Mauryan Empire, and which later formed part of the Mughal Empire also, had been lost to India in 1739, as the result of an invasion of Nadir Shah, and have since then been under the rulers of Afghanistan. In 1849, after the annexation of the Panjab, the North-West Frontier districts came under the East India Company's administrative system and policy. The internal administration of the Frontier districts differed in no way from the other districts of the Panjab. It may be recalled that in 1818, the East India Company possessed an anomalous character combining both commercial and administrative duties. Its commercial privileges were abolished by the Statute of 1833, but its administrative functions were continued up to 1853. The responsibility for foreign policy lay exclusively with the President of the Board, and through him with the British Cabinet.

47. THE BRITISH POLICY TOWARDS AFGHANISTAN

The annexation of the Panjab had brought British India into direct contact with Afghanistan, and the foreign policy of the Government of India towards the Afghan rulers of the country from which invaders had poured into India through the well-known gateways of India became of utmost importance from the point of view of the defence of India. The N.-W. Frontier commencing from the northern-most point above Kashmir, marches with Afghanistan and Persia, and brings the British Government into touch with several independent tribes of warlike Moslem races occupying the so-called tribal-terri-

tory. The peace of the border means peace throughout India, and British statesmen have recognised that this is the only one line of Frontier which is to be safeguarded against the more or less constant danger of invasion from the Western passes leading to India. The British foreign policy towards Afghanistan has been, of maintaining the independence of the ruling house, so long as it remained in friendly relations with England and entirely free from the subversive influences of other rival powers, who have been working with an eye to create difficulties for the British rule in India.

48. DIFFERENT PHASES OF POLICY

The foreign relations of India with Afghanistan have passed through different phases at different times, but running through it all is the consistent policy of recognising the territory independent of British Government and outside its pale of interference in internal affairs so long as it does not come under the influence of any other European power. The invariable object has been that Afghanistan should serve the useful purpose of a buffer State along the line of British possessions.

The Alarmist Policy.

There was THE ALARMIST POLICY in 1809, when Monstuart Elphinstone was sent up as the head of a gorgeous mission to Kabul. Then came *"the Meddling policy,"* in 1832, when A. Burns passed through on his "commercial mission"; and again in 1838, when General Keene advanced into Afghanistan to dethrone a popular Barakzai Chief Dost Mohammad, and to place on the throne a friendly King. In 1839, the Government of India attempted to intervene to restore the heir of the Durani Empire to the throne of Ahmad Shah. However, in 1855, a *treaty of friendship* had been made with Amir Dost Mohammad of Kabul, to checkmate the ambitious policy of the Shah of Persia towards Herat, as a key to India. When Herat was attacked in 1856, the Amir of Kabul was sent military aid by an expedition under General Outram which settled the Persian problem. In 1857, owing to the muscovite policy of Russia in reaching Kokan; making Mongolia her Province, the policy was adopted of Afghanistan standing isolated, and free of the Russian taint: and this great aim was to be best attained by making Afghanistan strong and independent Five years later,

The Meddling Policy.

Treaty of Friendship.

Amir D[illegible]

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The Evolution of the North-Western Frontier Province.

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Amir Dost Mohammad, after consolidating his position in Eastern and Southern Afghanistan resolved to add Herat to his dominions, and there was a strong protest by Lord Elgin as Viceroy of India.

Policy of Masterly Inactivity.

But, when Amir Dost Mohammad Khan died in 1863, Sir John Lawrence refused to side with any of the two disputing sons of the late Amir for supremacy; but at last the Indian Government intervened when Sher Ali came out victorious against his brother Afzal Khan, and the Viceroy acknowledged him as Amir. This was characterised as *"Policy of masterly inactivity,"* and seriously criticised as such, when the rival claimants approached Russia, and Persia, ignoring the British Government.

49. ATTEMPTS AT DEFINITE ALLIANCE

The Russian move towards Khiva in 1864, the occupation of Tashkend in 1865, and the reduction of Bokhara "to the position of a vassal state," in 1867, and similarly of Khiva in 1873, were believed by the British Government in India to have a political motive, although this step was represented as the inevitable and beneficent advance of civilization; and to counteract it, Lord Mayo wanted to form "a closer union between Britain and Afghanistan in order to preclude the establishment of Russian influence there," and in pursuance of this policy Amir Sher Ali was invited to an interview held at a Darbar at Ambala, his subsidy was increased and he was promised help by the Viceroy; but he was overruled by the Secretary of State who merely wanted the "maintenance of the settled policy in Afghanistan." Again, when Amir Sher Ali turned to Russia for support during the time of Lord Northbrook's Viceroyalty, it was decided to strengthen the military position on the Frontier by inducing the Amir to accept British resident agents in his territory: and as a result of this policy his successor Lord Lytton asked the Amir to receive a mission with a view to enter into a definite alliance with the throne of Kabul: Amir Sher Ali wanted a recognition of Abdulla Jan whom he had installed as his heir, but failing to get a satisfactory reply opened negotiations with Russia. It was pointed out that the refusal to receive a British mission amounted to a "contemptuous disregard of British interests," and the Amir's reception of a Russian envoy amounted to an act of war against the British Government in India.

50. THE FORWARD POLICY

The policy of resolving to stick to the N.-W. Frontier and of defending India against any possible Russian, or foreign attack on the border line then existing, gave way in 1878, to the Forward Policy of abiding occupation of Afghanistan or a part thereof in British interests. No answer being received, within the period fixed, to the despatch of an ultimatum the British occupied Quetta, and established a British agency at Gilgit, followed by a declaration of war, and an attack of Kabul from three different routes. It was considered that

"the administrative line, which really followed the boundary which the British had inherited from the Sikhs, possessed no military value whatever, and was like most Indian Frontiers, more likely to provide subjects of dispute than to secure to a clear-cut division of interests between two neighbouring States."(*a*).

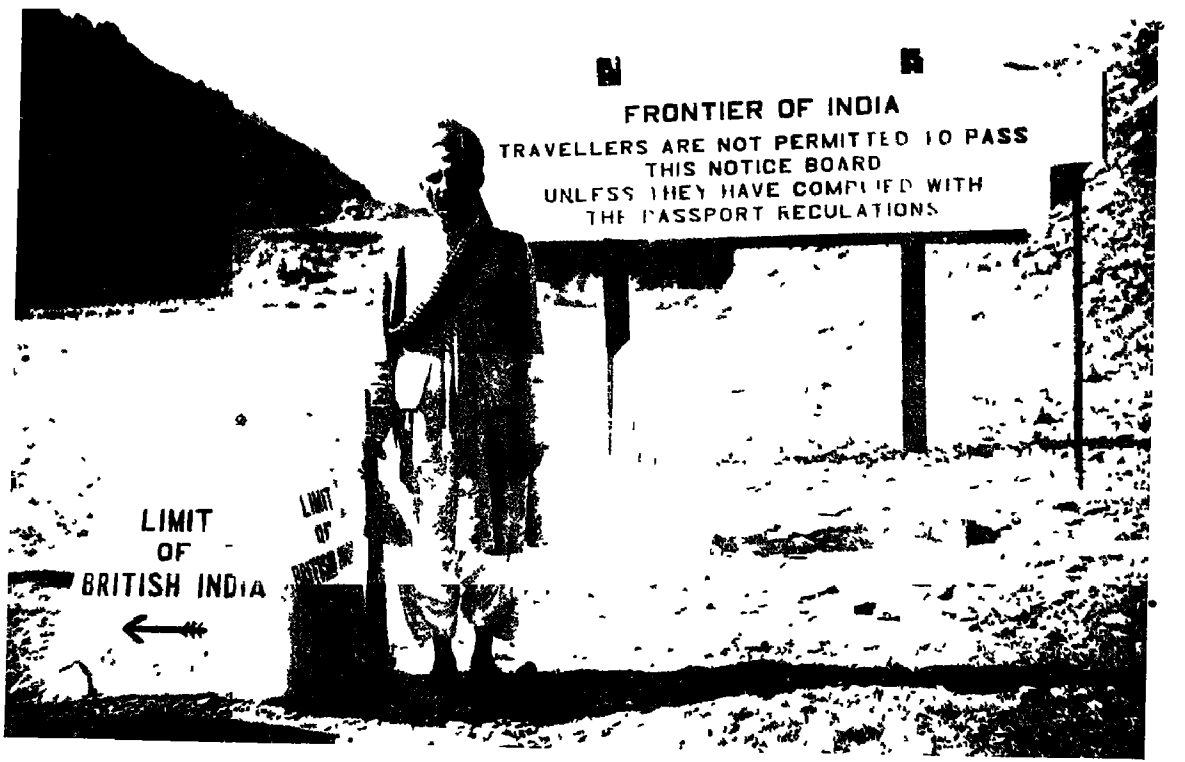
Quetta was taken because it "would open the way to Kandhar, and permit the outflanking of an enemy seeking to advance against India by the Northern passes."

51. THE TREATY OF GANDAMAK, 1880

Sher Ali withdrew to Russian territory, where he died; and his son, Yaqub Khan, agreed to the treaty of Gandamak, by which he was settled as Amir of Kabul as soon as he had agreed to receive a British Resident at Kabul, and to cede to the English certain districts of Loralai, Zhob, Pishin, Quetta, and Nushki including the British occupation of the passes. The attempt to put a British envoy at the Afghan Capital, after the first phase of the Second Afghan War in 1879, had ended in a fierce rising against the British Residency, resulting in the murder of the envoy Sir Louis Cavagnari. The boundary line fixed in 1880, added the Eastern half of the old sub-province of Kandhar to the Indian Empire: but the modified Frontier line fixed in 1894 along the top hills of the Suleman range of mountains, and known as the *Durand line,* now brings the tribesmen living in the Khyber, and Mohmand Tirah, Kurram, and Waziristan, within the British sphere of influence. The position of the British Government in N.-W. Frontier districts became stronger when the Eastern slopes of the Suleman mountains came within their control.

Durand Line.

(*a*) Cambridge History of India, p. 89.



Frontier Border of India

(Photograph by I. Das.)

52. ROBERT'S ADVANCE TO KABUL AND KANDHAR

A fresh outbreak of war occurred when the British Resident was slain with all his escort, and General Robert's advance towards Kabul, and occupied the city. Amir Yakub Khan abdicated his throne, and was brought to Calcutta as a state-prisoner. His brother Ayub Khan carried on war with the British forces losing Kandhar, but the British forces retired from Kabul and Kandhar, when Amir Abdul Rehman, Sher Ali's nephew, defeated Avub Khan, and assumed the rule of Afghanistan under a friendly alliance with the British Government, the latter guaranteeing the defence of Afghanistan against external aggression in recognition of his friendship. The Forward Policy has not been in much favour lately recognising that it was physically difficult to conquer and hold Afghanistan, and to sustain an army, which would be a blunder when the obvious dictate of strategy was to throw this expenditure on the enemy. The policy which comes out uppermost is *the friendly policy* with a strong and independent Afghanistan under a ruler who is prepared to give the control of the independent tribes on the border to the British Government. The international Frontier of India along natural and scientific lines lies along the high altitudes of the Hindu-Kush range of mountains, and the deserts of Seistan and Mekeran: but, the treaty relations with Afghanistan now recognise the Suleman range this side of the Hindu-Kush to be the line of demarcation.

53. AMIR ABDUL REHMAN KHAN

The search for an Amir of Afghanistan who could fill the role desired by the British Government was not an easy task. However, the age-old British policy of a strong Afghanistan found its solution in the elevation of Amir Abdul Rehman Khan to the throne of Kabul. The strong commonsense of Amir Abdul Rehman secured for himself and for his descendants and successors the powferful Kingdom of Kabul, within defined limits, free from interference both of Russia, and of England, by acting on the policy of not making Afghanistan the battle-ground between two great powers, but of holding them at arms length from each other. Under his rule, the arrangements of the treaty of Gandamak stood, which brought the Khybar and the Kurram within the British sphere, also a portion of British Baluchistan. But the evacuation of Kabul, and later the handing

over of Kandhar to Amir of Afghanistan made him a master in his own house. In 1885, after unfortunate incident of a serious clash with Russia at Panjdeh, the Amir had to meet the situation created by the Ghilzai rebellion in 1890, and later of a rise of his Hazara subjects in 1892, before he could establish his rule in a united Afghanistan. The *Amir El Kebir*, the Great Amir Abdur Rehman Khan, held the throne of Kabul successfully for many years, supported by British arms, and receiving a subsidy towards his defences, as the British Government had undertaken in their own interest, to preserve the Kingdom of Afghanistan.

54. AMIR HABIBULLAH KHAN

Amir Habibullah Khan was not a strong personality like his father; and his accession was marked with a revival of the apprehensions of Russia's intentions. A discussion of foreign affairs was arranged with his son Inayut-ullah, by a mission under Sir Louis Dane, the Foreign Secretary. The Amir was entirely friendly, and the position regarding the tribal territory was cleared up. The border tribes have always been maintaining independence of the rulers of Afghanistan, though the Amirs have been claiming a sort of authority over them as Pushto-Speaking Moslem races, who have been looking up to the Amirs in some matters when it suited their interests.

The Durand line now defines the sphere of British influence, and the Sikhs, who were the predecessors of British Government, had destroyed any claim of the Kabul Government to control the tribal territory. However, the Amirs of Kabul by reason of their religious connection with the wild tribes on the border have always been able to excite them to mischief, and there has been little or no peace on the border if there existed acute differences between Afghanistan and the British Indian Government. The Amirs of Afghanistan might claim an advantage in handling these tribes if placed under them, but this adds to the insecurity of British possessions in India. As has been truthfully observed, "nothing but the Frontier garrisons keep the trans-border tribes in their hills," and the Kings of Afghanistan could not possibly undertake the duty of Indian defence against the aggressions of the border tribes on the settled districts of N.-W. Frontier Province.

55. POLITICAL TRANQUILLITY

From the historian's point of view, the first noticeable feature of the extension of British Dominion in N.-W. Frontier Province, as the heirs and successors of the Sikh Kingdom, is the undeniable enjoyment of the blessings of peace and complete political tranquillity for the latter half of the nineteenth century, of a type not experienced in this province for more than seven centuries past. True, we have had during all this time most disquieting rumours of foreign invasion —*firstly,* of a fanciful scheme of Asiatic conquest by Napoleon in alliance with Turkey and Persia, of opening a road to India by land, and next the plans of a formidable Russian power in league with Afghanistan of entering India through the portals of Khyber, or Bolan, but this chronic disquietude has resulted only in bringing the British political officers into more friendly relations with Afghans, and frontiersmen, and the British Government has most cautiously entered upon that diplomacy, in Europe and Asia, which has placed Afghanistan and the tribal area as an impregnable barrier between European or Asiatic powers, and the British Indian possessions. Security of life and property followed the absence of any invasion from the West: and the vitality of the people, and the fertility of its soil, led to considerable economic progress: the districts enjoying the benefit of law and order as part of the Province of the Panjab.

56. THE BRITISH CONTROL OF MOUNTAIN PASSES

The history of British connection with Afghan affairs is closely allied with the question of defence of India, and the North-West Frontier. We have noticed that the general policy adopted since 1885, has been that the control of Afghanistan should not be allowed to be brought under Russian influence. It was with a view to checkmate Russian moves in the direction of Central Asia, and Persia, and to avoid embarrassment to the British Indian Government by the extension of any Russian influence in Afghanistan, that England has been jealous of the interposition of a European power in Afghanistan affairs. This danger is now very much reduced by the engagement of Russia with England not to interfere within the Afghanistan of which the boundaries have been defined. The British Government now exercises, subject to treaty rights recognising Afghanistan as independent Kingdom, under the Shah of Afghanistan, undisputed

diplomatic control or influence over the Frontier clans or tribes through whose mountain passes there is any the least possibility of a foreign army advancing into the trans-Indus Frontier of British India at some distant future, in view of any perturbed conditions in Europe or Asia. Meanwhile, the treaty of Gandamak with Afghanistan, and political arrangements with border tribes, secure territorial rights to the British respecting two military routes from India to Kabul, namely, the one by the Khyber, and the other by the Kurram, and the British troops are kept in position at Peshawar, Nowshera, Risalpur, Landikotal, Kurram, etc., places, wherefrom they could move to these passes at the shortest notice. The British now have opened up the tribal areas in parts, penetrating to posts at Wana, Razmak, Miranshah, Parachinar and Landikotal, by means of motor roads, and establishing military stations.

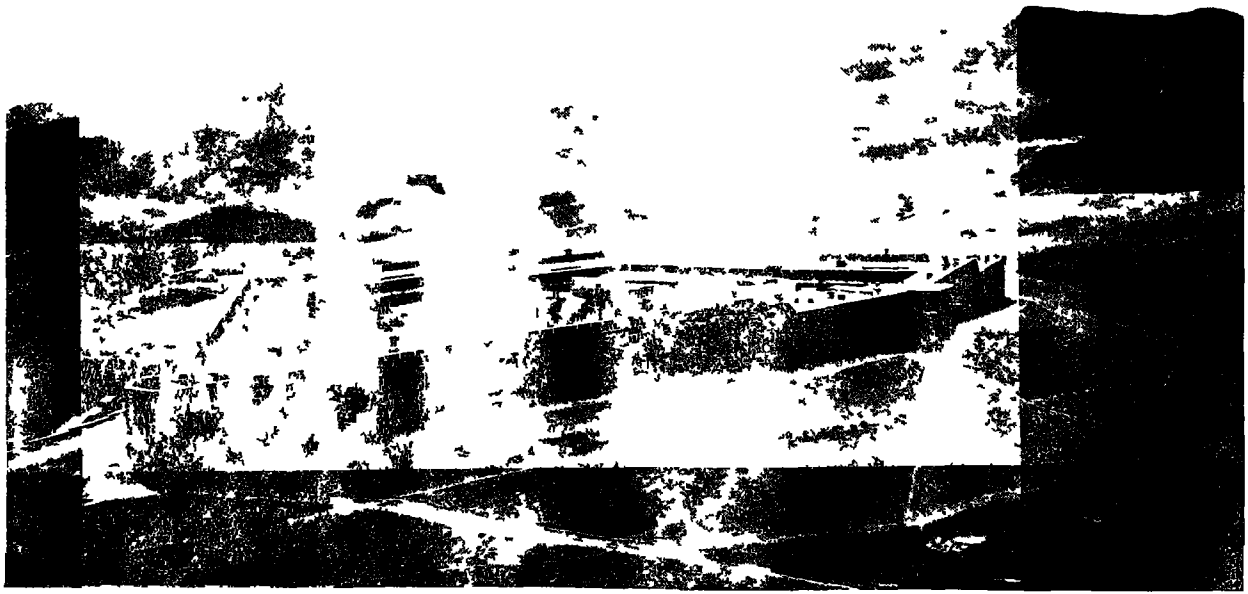
Sir Harry Lumsden wrote in his report on the Caundhar mission that

"Providence has blessed us with a strong line of Frontier, covered by rugged and barren hills, through which there are but a limited number of passes by which an army could approach India; and the military art teaches us that the best position for the defence of such ground is on our own side of the passes. just where an army must debouch on the plain with Peshawar, Kohat and Sindh, in our possession, and the communications with our Indian Provinces open by rail and steamers on the Indus. and strong force of Europeans located in healthy Cantonments all over the country supported by a well-organised native army, I consider that we should really have the keys of India in our own pockets, be in a position to lock the doors in the face of all enemies. black or white."

A chain of picket-posts and block houses with forts in suitable places completes the defence of N.-W. Frontier Province against any land forces from the west, and amongst recent more advanced defence measures, is the provision of anti-aircraft guns, in sufficiently large numbers, for effective defence against any possible attack from the air. This is an aspect in Evolution of N.-W. Frontier Province, the importance of which cannot be overrated.

57. THE KHYBER PASS

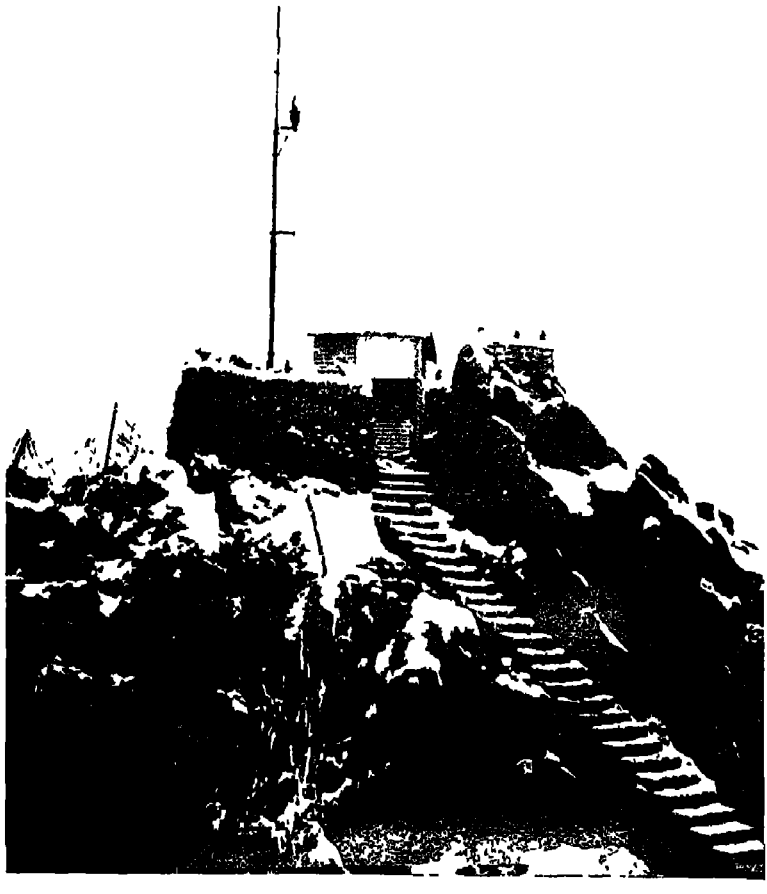
There are three roads in the famous Khyber Pass, including the old Caravan road, for pack-animals from Kabul, which visit Peshawar twice a week in big *Kafilas,* or processions of loaded camels, donkeys, and ponies, with fruits and merchandise for trade with



Shigu Fort

(Photograph by I Das)

Defence Measures Typical Frontier Bloc House



Defence Measures, Typical Picket Post.

The Evolution of the North-Western Frontier Province.

Recent Defence Measures Anti Aircraft Demonstration at Landikotal

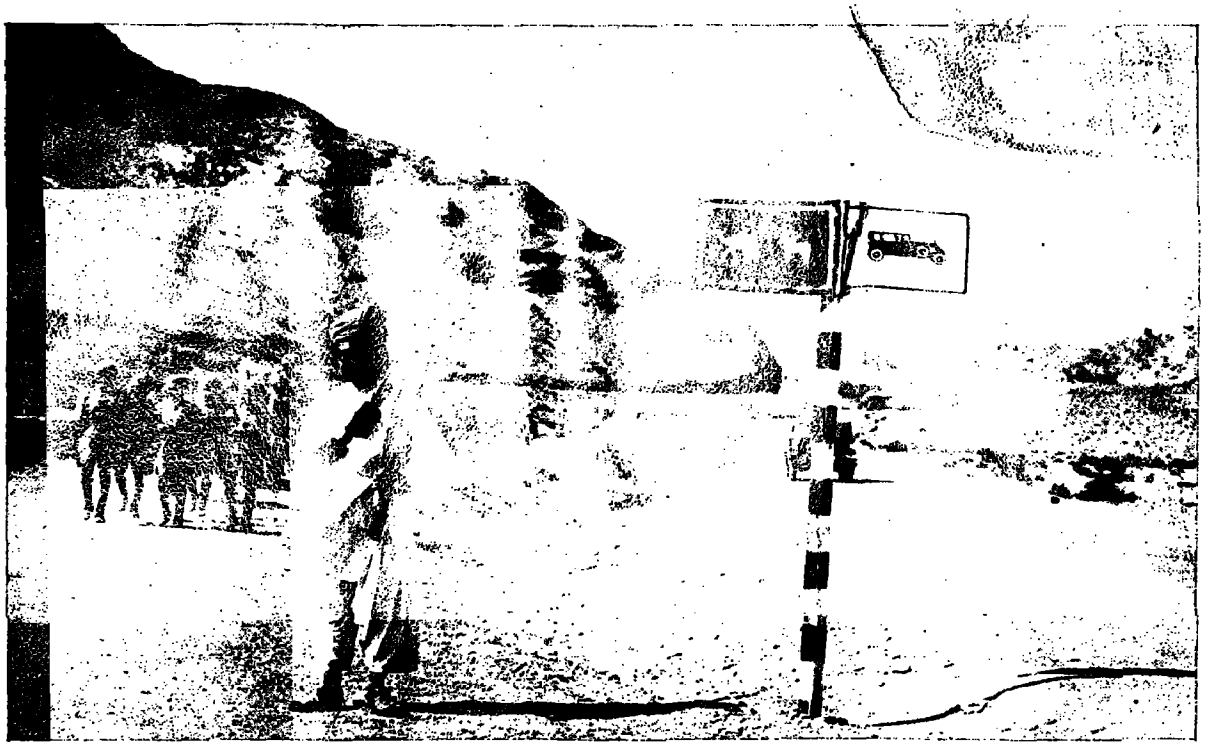
Khyber Pa

(Photograph by I Das)

The Eng[illegible]

Caravan Leaving through the Khyber Pass

(Photograph by I Das)



Traffic Board, Khyber Road.

(Photograph by I. Das.)

Jamrud Fort

(Photograph by I. Das)

Landikotal Camp.

(Photograph by I Das)

India. The other is a modern well-engineered, and fascinating *motor road* fit for heavy lorry traffic, which is guarded by a gate at Jamrud fort, and runs along the Cantonments of Landikotal, Landikhana, etc., up to the Khyber Pass. The third road is the *Railway extension* through numerous tunnels, from Peshawar to Landikotal, which is calculated to place the greatest facilities for military forces moving in that direction. Similarly, there is a pass from Peshawar to Kohat opened up for motor traffic which passes through Mohmand territory, and there is railway connection also between Rawalpindi and Kohat. A large military Cantonment of Razmek, near the Mahsud centre, connects with Bannu, and Tank by a circular motor road, which gives complete access to important parts.

58. IMPORTANT CLANS AND TRIBES ON THE FRONTIER

The most important clans and tribes on the North-West Frontier, who own no dependence to Kabul, or to the British Government are the *Pathans* of mainly Afghan, but partly Aryan origin, speaking Pushto, and they are visibily harder and fiercer than their fellow-clansmen living in the settled districts of North-West Frontier Province. There are some milder non-Pathan tribes, in the far North, known as *Jaduns*, *Swathis*, and *Tanaolis*. Other very important Pathan groups are the *Yusafzais* clans of Swat; the *Mohmand* tribes of Buner, Sir, and Bajaur, split up into several sections. Near the Khyber we come to *Afridis* of Tirah group of clans admittedly of Aryan origin, divided and subdivided into several tribes and sections. Between Tirah and Miranzai, we find the *Orakzai* folks similar to the Afridis, but of a different religious sect. The *Khattak* tribes of Kohat are linked with Pathans of Rajput origin, and they dwell on both banks of the Indus. Further up in Miranzai, and in Kurram, the *Chamkannis*, and the *Zainukhts* are the Pathan clans, but not of Durani type. The *Waziris* occupy that part of the Frontier called Waziristan, which is responsible for the greatest chronic trouble on the border. This tract lies between the Kurram, and the Gumal routes of Afghanistan. They are in all probability Aryan and Rajput in origin converted to Islam centuries ago. The main divisions of the clans are into, first, the Wazirs of Darwesh Khel, second, the Mahsuds: The former accept the position of reasonable neighbours and are less troublesome than Mahsud-Waziris who constantly display a more recalcitrant attitude, by reason of closer Afghan contact.

Next in importance are the *Sheranis*, who are Duranis, inhabiting the valley near Takht Suleman, and the *Ghilzais*.

59. THE BRITISH POLICY TOWARDS FRONTIER TRIBESMEN

The Pathan tribes on the border, the Mohmands, Afridis, Waziris, etc., have for decades given trouble to the British Government, and like hungry wolves, or greedy robbers, as they have been described, have been proverbially very bad neighbours. Every now and then it costs the British Government very much in men and money, in handling them as they deserve, and to keep them back from loot and kidnapping of weak, and unarmed Hindu traders, and shopkeepers in villages on the Frontier, especially at times of religious excitement under the influence of bigoted Mullahs. The aim and object of the British military expeditions of a punitive character when rendered necessary by the violent conduct of the tribes, has been twofold, *firstly*, "to deter the offending tribes from lawlessness," and *secondly*, "to win them over to peacefulness," by the introduction of civilized orders. In other words,

> "the early history of the Panjab, Frontier has been a series of raids by trans-border tribes, interspersed with expeditions into tribal territory intended to bring the tribesmen to reason and teach them that raids were disadvantageous."

The occasional lapses of the younger tribesmen into misbehaviour, have alone been responsible for the chastisement, severe or mild, in proportion to the necessities of the case; but, in no instance have the Government made any advance with any design against their independence.

On the contrary, the system pursued has been of extending civilising influence, of schools, and hospitals, and fruit plantations; and of finding occupations for border young men in military regiments; giving them contracts for the construction and maintenance of military roads and barracks, costly and inefficient though it often was; and of financing the Maliks and tribesmen by handsome allowances. The object has been "to see the tribes settled down, and refraining from molestation of the caravan routes." The British policy is to relieve the military officers of an undue proportion of trans-Frontier garrison duty; in watchful guard of unimportant valleys: and to save as much military expenditure due to maintenance of Indian troops beyond the border as possible. The principle

Principle of Border Protection.

development has been of entrusting most of the *border* protection to *Khassadars,* working under their *Maliks,* that is to units raised from the tribesmen themselves; and of keeping "bodies of regular troops, organised in small brigades of all arms, located within the Frontier." The local levies of Khassadars, supposed to maintain peace on the border, however, are mostly unreliable, especially in times of religious excitement as they naturally side with their own kinsmen of the Pathan community, and their place should be taken by a regular or irregular Indian Field Force on the border. For several centuries these tribesmen have been in the habit of committing raids and dacoities in the settled districts of N.-W. Frontier Province, and they kidnap innocent Hindu shopkeepers, and carry off females, and demand heavy ransoms for their release. Such men, one should think, are most unsuited for the border military, police service of the Frontier Province.

60. THE BORDER CONDITIONS

As remarked in the Census Report, 1921,

"The Province has as its neighbours warlike and turbulent tribes whose predatory incursions into the British territory are sometimes a source of considerable anxiety and trouble to the Government as well as to the people of the exposed villages near the border."

Tribal lawlessness, and depredations give rise to military operations from time to time, and the disturbed peace of the Province in outlying portions is only restored when the success of British combination of the border tribesmen brings them to their knees. There is a more or less chronic revolt against the Government going on in these parts as the development of the Frontier proceeds its normal course from decade to decade. The Political Department of the British Government has long been busy gradually extending its control over the Frontier tribes, in order to bring them to ways of civilisation and peaceful development of their tribal territory, instead of indulging in incursions and raids into the border villages of North-West Frontier Province. In some cases, as in Razmak, Cantonments have been created dominating the tribal storm centres, or motor roads are opened up for long distances through the tribal territory. But the passing of troops in different directions through their territories, and the garrisoning of some of the tracts which are of strategic importance, is always regarded by them as "a deliberate menace to

their independence," which is "bound to arouse the ever present fanaticism of the Pathan tribes." The Pathans may be ignorant and illiterate but they are not unintelligent. However, due to their ignorance they are "liable to be swept by sudden gusts of religious emotion or superstitious fear."

61. THE FRONTIER TROUBLE

The Frontier trouble due to the tribal behaviour under economic, religious or political conditions, is a subject well-worthy of the attention of all persons responsible for the good Government of India, and the situation on the Frontier caused by a weak and halting policy of giving regular allowances to the headmen of the tribes; of occasionally demanding fines in money and arms; or of hostages as earnest of good faith; or of sending out expeditions to obtain the restoration of kidnapped persons, or of punishing the intruders; has not been successful in maintaining peace on the border which is the aim and object of British policy towards the border tribes. There can be little doubt that the tribesmen have repeatedly, if not constantly, made a nuisance of themselves, and some check is to be devised against their claims to independence, which secures to them the right to arm themselves to the teeth, and of preying upon the harmless and unarmed Hindu "infidels" or "Kafirs" subjects of the British Crown, whose situation offers them as suitable *Shikar* for these savage hillmen. The numerous outrages on women, and sometimes even murders of a few Frontier officers draw the public attention to this chronic malady which calls for a drastic treatment, such as the effective occupation of the tribal areas, and not the shilly-shallying methods pursued by the political authorities, which serve no useful purpose beyond keeping alive the existence of this highly paid department of Political Officers on the Frontier.

62. ITS CAUSES

In connection with "the Frontier Problem," the C. M. G., in a leader of May 2, 1937, suggests that

"the cause of trouble with the tribesmen has been their isolation. If the administration of the tribal areas could be made more visible to the tribesmen that it is at present, it would appreciably reduce the frequency of outbreaks of disorder on the Frontier and in time turn the thoughts of the tribesmen from rifles to less hazardous occupations."

The trouble is purely ECONOMIC, inasmuch as these savage tribes living in unproductive hills which "breed many, but can feed a few," do not find sufficient maintenance in their natice homes, and the openings offered to them by small trade with British India, or by some work in roads-making, or in Police, and militia, and in the regular army are not quite adequate to meet their fullest wants.

As Col. Keene observes

"being a poor people in a barren country which is inadequate to supply their needs, they have lived largely raiding and lost."

The trouble is partly RELIGIOUS, as these tribes are all Moslems by faith, and being mostly ignorant and superstitious savages under the sway of Mullahs, and the priestly class of Syeds whose mental attitude is one of undisguised hatred and contempt towards the weak and harmless Hindu shopkeepers, and money-lenders living in Frontier villages, known as *"Kirars"* or *"Kafirs,"* they are very easily led to loots and kidnapping of Hindu youths, and maidens, in the hopes of extorting rich ransoms out of their relatives. But the main trouble is POLITICAL. The Amirs of Kabul have no direct control over these border tribes, but occasionally they take pleasure in utilising these misguiding tribes to harass the British Government for ulterior political purposes: and, find in them a ready response to any mischievous propaganda set afloat by pretexts of "Islam in danger." The fact that these savage tribes being independent can manufacture or import arms and weapons of precision makes them a formidable enemy and their chastisement or subjugation a problem. "At a rough computation, there are probably not less than 50,000 to 60,000 tribesmen not only with modern rifles but also thoroughly conversant with them."

63. FRONTIER EXPEDITIONS

The years soon after the annexation of the Panjab cannot be called years of peace for the Frontier.

Early Frontier Expeditions.

"Expeditions in large numbers, against the Frontier tribes," "were measures required for the establishment of a strong rule and a peaceful border in countries which had never before known law and order."

Sir Colin Campbell (Lord Cycle) led one of the first British expeditions over the border in 1850. The Frontier medals commence from 1854 and altogether there were 17 such expeditions between

the annexation and the outbreak of the mutiny, which tell a story of bravery of fights under difficult circumstances by the British and Indian units who have taken part in these rough affairs with our unfriendly neighbours.

64. LATER FRONTIER EXPEDITIONS

Between 1857 and 1878, there were only a few important operations. In 1863, the British army, hardly recovered from the after-effects of the mutiny of 1857, had to contend with a colony of Hindustani fanatics, assisted by a Wahabi Zealots, in *Umbeyla Pass*, of Yusafzai tract of Bunerwals. The tribes admitted a British Commissioner to root out the fanatics who had molested the border in 1857. The *Jowaki trouble* with Afridis, between Kohat and Peshawar in 1877, was one which earned a clasp to the Frontier medal.

(*a*) "The years of the Afghan War (1879-1880) were of course, years of trouble which necessitated punitive measures, and subsequently, the settlement of the boundary between the spheres of interest of the British and Afghan Governments, gave rise to much unrest in 1894-1895."(*a*)

"Between the outbreak of the Second Afghan War, and the Pathan revolt of 1897, there were 16 expeditions against Frontier tribes, of which eight took place before peace was concluded with Kabul."(*b*)

"By the adoption of strong measures by the Government of the Paniab, from time to time, comparative peace on the border was secured by the year 1883."(*c*)

"Dacoity was almost unknown and cases of highway robbery and violence are infrequent, and, except when the hill tribes were at open war our Government, rarely occurred on the border."(*d*).

Raids and offences of all sorts had become exceedingly rare on the Waziristan border in early eighties. But there was a campaign in 1894-1895 attending the attack on the escort at Wana during the demarcation of the Durand line.

65. THE DEFENCE AND RELIEF OF CHITRAL

The Defence and Relief of Chitral was undertaken in 1895 to put down a rise which threatened to disturb the peace of Northern India. In 1896, punitive expeditions properly so called had practically done their work on Kohat border,

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(*a*) Col. Keene's and the War, p. 4.
(*b*) Report of the N.-W. F. Enquiry Committee, p. 33.
(*c*) Ibid, p. 33.
(*d*) Gazetteer of D. I. Khan District of 1883, p. 59.

and cases in which the trans-border tribes had come down in sufficient strength to plunder and burn villages had been exceedingly rare. But in 1897, the country was found in an inflammable condition, due to Pathan fanaticism; and in that year the British Government were involved in heavy fighting with every tribe on the N.-W. Frontier. These extensive Frontier risings of 1897 showed the assistance possible from Afghanistan in an inflamed condition of the trans-border tribes.

66. THE ATTACK ON THE MALAKAND RIDGE

In July 1897, the Malakand ridge was attacked by the tribesmen led by mad Faqir and the Hadda Mullah. The extent of the rising in answer to the call of Islam was very considerable, and "a pretty trade in Afghan ammunitions" had betrayed the secret help derived from that quarter but the early successful defence by British forces made the Amir of Kabul and the Moslem Panjab deaf to any improper suggestions of a Holy war. The subsequent operations, after the relief of Chakdara, in the Graeco-Bacterian valley, under Sir Bindon Blood, resulted in a successful march up the valley beyond Landaki, but the operations were closed as soon as the penitent Jirgahs came in from all tribes offering reparations.

67. THE MOHMAND EXPEDITION

Almost simultaneously, there was an invasion of the Peshawar valley, across the Kabul river, where stands the old Sikh fort of Shabkadr, with the Shankargarh Bazar, full of Hindu shopkeepers. This invasion was another disturbance created by the notorious Mulla Hadda, which was put down by a brilliant cavalry action by 13th Bengal Lancers, under orders of General Elles. The Afridis of Khyber joined the GREAT RISING OF 1897, supported by some volunteers from Afghan territory; and, in the attack on Nawagai, the Ghazis, or the fanatics, lost heavily by the defending Camps, and the Brigades under General Sir Bindon Blood, in co-operation with forces commanded by General Elles, severally chastised the Mohmands. The *Bedamani Pass* was captured, and after minor punitive expeditions, the tribal towers and fortified villages of the Mohmands were destroyed before the tribes made their submission.

68. THE TIRAH EXPEDITION, 1897

THE TIRAH EXPEDITION OF 1897 was undertaken to punish the Afridi tribes who had attacked the British garrisons, and

closed the Khyber Pass, at a time of excitement spreading into the Mohamand country. The Afridis had enlisted many men in the Indian army, and drew handsome allowances from the British Government, but even they had yielded to the Mullah's cries of "Faith in danger," and the Khyber Rifles posted at Landikotal, under Captain Barton, who himself was ordered down to Peshawar, had to face alone their own clansmen risen in arms against the British forces. It is strange that Lord Elgin's Government, or the Lieutenant-Governor of the Panjab, assisted by Mr. Udny, the Commissioner, showed so much concern for Afridi tribes, as not to allow the British forces, lying at the mouth of the Khyber to help the companies of Afridis, and Shinwaris in their struggle to be led out to Jamrud fort for protection. In the direction of Miranzai, the Orakzai Afridis had raised a *Lashkar* stirred by fanatic Mullahs and Sayed Akbar, and created trouble in Samana, and Kurram, investing Thal, and even threatening Kohat. Various military posts, and militia posts had surrendered to the Orakzai Afridis; but the British garrisons of Sikhs at Saragarhi post, and the Kurram militia men near fort Sada had held out bravely till the last. The garrison of 21 men of the 36th Sikhs, who were killed all save one, the latter being burnt alive in the post, while heroically defending the same against the deadly determination of the great Lashkar outside, have won everlasting glory for the Sikh nation to which they belonged. The Kohat Brigade under General Yeatman Briggs, engaged the Orakzais at Hangu below Samana, but the Afridis had swarmed into Khanki valley with a view to help the Orakzais, and the Tirahis in large numbers threw themselves on little Gulistan. General Briggs gave a good fight to Afridis round fort Lockhart, and cleared the Samana range of the enemies, thus restoring British authority in the accessible portions of the Miranzai. The Tirah campaign against the Afridis and Orakzais was decided by the Government of India, with a force well-equipped with pack transport and accustomed to mountain warfare, and Dargai was stormed, under General Sir William Lockhart, the Commander of the Panjab army : and the highland homes of the Tirahis were visited with the severest punishment. In this campaign however, the British regiments lost very heavily by enemy fire from well-covered mountain spurs in carrying some ridges, and the British convoys of food were the greatest sufferers, thousands dying or being destroyed on the difficult ascents.

The campaign concluded with blowing and destroying the fortified farms of all the Afridi clans who had resisted the peace settlement. Later the Black-shirted Bunerwals were given a lesson for having helped the show at Malakand: and finally the Bazar valley was visited which runs into the open at Jamrud. Repentent tribes made terms of peace, and at a Darbar of Afridi Chiefs held in 1898, the irreconcilable Zakakhels were the foremost in doing honour to General Sir William Lockhart by taking the horses from his carriage, and drawing him in triumph. The military problem remained unsolved in spite of the most expensive commitments of large garrisons across the border, within Malakand, Khyber, Samana, Kurram, Tochi, Wana and the Gomal area.

69. THE BRITISH ADMINISTRATION IN THE PANJAB AS NON-REGULATION PROVINCE

When Lord Dalhousie conquered, and annexed the Panjab, he made it into a non-regulation Province on the model of the Sind administration introduced by Sir Charles Napier "who had a strong distaste for the Civil Government of the Bombay Presidency." The special features of the 'Non-regulation' areas were that ordinary laws enforced in the Regulation Provinces, *viz.*, the regulations and rules passed by the Company's Presidency Governments up to 1833, and the legislation passed by the Government of India after that date, did not apply unless specially extended by the authority of the Governor-General in his executive capacity. In the Panjab, including North-West Frontier districts,

> "the mode of Government first introduced was personal and paternal, all authority, executive, revenue, and judicial being usually concentrated in the same official; and the general purpose was to disturb tribal or local custom as little as possible, and to make changes only with the greatest caution and on some evident necessity."

The executive officials at the head of the districts thus had to play a very large part in the administration of the Province. A board of administration, consisting of two well-known brothers, Henry and John Lawrence, and one more civilian, was appointed and the country was organised in eight divisions, including one for Peshawar, and another for Derajat. There were 24 districts, each under a Deputy Commissioner. There being 5 districts now forming the N.-W. Frontier Province.

"For a short time the districts of Peshawar, Kohat and Hazara were under the direct control of the Board of Administration at Lahore, but about 1850 they were formed into a regular division under a Commissioner. Dera Ismail Khan and Bannu, under one Deputy Commissioner, formed part of the Leiah division till 1861, when two Deputy Commissioners were appointed, and both districts were included in the Derajat division, an arrangement which was continued until the formation of the N.-W. F. Province."

By the Charter Act of 1853, the Panjab was placed under a Chief Commissioner. Later, it was placed under a Lieutenant-Governor, when the Delhi country lying west of the Jumna was transferred to it from the N.-W. Frontier Province. As a non-regulation Province to begin with, there were no separate judicial courts. The civil and criminal jurisdiction was exercised by the Deputy Commissioners under the Commissioners. At first customary laws and a rough equity was administered by the courts. But a civil code was issued in 1855, embodying a great amount of the customary law of the Panjab.

70. THE PANJAB FRONTIER FORCE

In addition to the regular army at Peshawar, it was found necessary to organise a semi-military police force of irregulars raised from the disbanded troops of the Sikh Darbar, consisting at first of five regiments of cavalry, the corps of guides, five regiments of infantry, three light field batteries, two companies of sappers and miners, and the Sindh camel corps. These were supported by a Gurkha contingent at Abbottabad, which was placed under orders of the Government of the Panjab. The Cantonments of Kohat, Edwardes-Abad (Bannu) Dera Ismail Khan, etc., were garrisoned and defended by the "Panjab irregular force," later known as "Panjab Frontier Force," which was a very special class of wtll-disciplined troops not less serviceable in Frontier raids than the regular army moved on occasions of Frontier expeditions. The irregular troops kept to deal with Frontier tribes, were on all accounts not less efficient than the regular forces now taking their place at far greater expense. Of the European troops attached to the Bengal army, most were concentrated on the Frontier.

71. THE INTRODUCTION OF MODERN CONDITIONS IN THE PANJAB

Under the British rule, the North-West Frontier districts enjoyed the advantages of civil and criminal administration in the Panjab, which was far in advance of the conditions prevailing under the Sikh

domination, or under the Mughal or Afghan Empires. Since this Province came under the aegis of *Pax Britannica*, it has made marvellous progress both materially and morally. The country saw continuous, and marked progress in agriculture, and the development of other economic resources. Soon after the annexation of the Panjab and other territories of Lower Burma, and Oudh, Lord Dalhousie had started the building up of the Great British Indian Empire on modern lines, introducing the RAILWAY AND TELEGRAPH SYSTEMS which were greatly appreciated as the first blessing of the British Raj. Another factor in this work of progress was the creation of Post offices under an Act passed in 1854, with a cheap rate of postage stamps from which the Panjab benefited along with the rest of British India. The PUBLIC WORK DEPARTMENT introduced in 1854 was a further item in the constructive programme, which started the era of Indian prosperity under British rule by the work of making roads, and facilities of communication, also by a system of CANAL AND IRRIGATION WORKS. To these must be added the great system of *Education or Public Instruction*, to promote elementary education in vernacular, and higher education in English, originally introduced by developing missionary activities, or by pursuing humanitarian ideals, though it served the practical purpose also of supplying the literate officials in all departments of public services. These manifest advantages had reconciled even the beaten Sikhs to accept the British rule in the Panjab, with a sigh of relief, after the protracted disturbed conditions of the Province during the closing period of the Sikh administration. Complete satisfaction, with British administration on sound and safe lines, prevailed in this part of the country, and the Sikhs were deeply loyal to the British Crown, when the mutiny trouble arose in 1857, in a portion of the Bengal army in the United Provinces, due to the spread of some rumours of animal fat used in cartridges, to the prejudice of Hindu and Moslem religions in India.

72. THE INDIAN MUTINY OF 1857

It is no part of the plan of the present work to trace to their ultimate origin the various causes of the Indian mutiny of 1857: Outwardly tranquil under a civilized system of British administration in India, elements were not wanting of disturbance and disaffection, of uncertainty and unrest, which had made the political situation full

of alarming possibilities. The policy of territorial expansion under Lord Dalhousie had contributed some political grievances of a serious character. There was added to it some military discontent among the Indian Sepoys, regarding pay and conditions of service which was reinforced by some unfounded but general apprehensions of an attack on their religion and caste. "A missionary manifesto had been misrepresented as an official invitation to become Christians," and the soldiers seemed to have caught "the infection of popular feeling and turn against the Government" based chiefly upon the ugly rumours of a supposed intention of the British Government to advance Christianity in India at the expense of Hindu and Moslem faiths. The mischief-mongers took the occasion of some mistaken order, as to the greasing and loading of cartridges in the new-type rifle, to spread the wildest rumours of religious interference, against the British Government, which caused the most serious Indian mutiny of 1857 to break out at Meerut, and other places in the N.-W. Frontier Province, Oudh, and Lower Bengal. But, it must be observed that the Panjab was under Lord Dalhousie's "picked men." Sir John Lawrence, the Chief Commissioner, was the head of the administration, assisted by Sir Herbert Edwardes as Commissioner of Peshawar. The mutiny was practically confined to the Indian troops of the Bengal army. The masses had not arisen in arms against the Government. The Sikhs in the Panjab, and N.-W. Frontier Province, might have been expected after the recent conquest "to use the crisis to recover their independence." But, they never made common cause against those who had risen against the British forces. The Maharaja of Kashmir had stood firm from beginning to end and the Panjab was saved from rising against the British Government. The Cis-Sutlej Chiefs of Patiala, Jind, and Nabha, most unhesitatingly had offered all their resources for the suppression of the mutiny. However, the attitude of the Amir of Afghanistan and of the frontier tribes was considered doubtful; but most of the tribes were then under blockade. The suspected regiments of Hindustanis at Dera Ismail Khan and Kohat were disarmed and Peshawar garrison was strengthened with troops and levies. Further a small rising of 150 mutineers at Nowshera was soon nipped in the bud by strong and effective measures of blowing away the mutinous soldiers : and the grave danger of the Afghans in the Khyber joining hands with the rebellious native forces, at a time of supposed British weakness to hold this newly-acquired territory, disappeared. "At one

moment," notes the historian, "Lawrence had judged the position so desparate that he had proposed to facilitate the despatch of reinforcements by abandoning Peshawar to the Afghans." The disarming of the bulk of regiments then stationed at Peshawar, and Nowshera, though resented as an insult, was calculated to remove the immediate danger to the outbreak of mutiny in this corner of the country.

Later, the tribesmen availed themselves of the opportunity of rendering some service to the British Government, by taking the place of the Bengal Sepoys up in arms at Cawnpore, Lucknow, and Delhi. In fact the last phase of the mutiny, the glorious recapture of Delhi was effected by the reinforcements sent out from the Panjab and N.-W. Frontier Province, of Sikhs and Afghans in British employment. The guides of Mardan, under Daly, had greatly distinguished themselves by covering 27 miles a day for three weeks, and engaging the mutineers within three hours of their arrival. Later, the escort of Nicholson with the Panjab movable column stormed the city gates, completely drove out the mutineers, though they lost their brave and resourceful commander in the assault. When the news of the recovery of Delhi, in September, 1857, reached Peshawar "the townsmen' thronged Edwardes's house with congratulations."

73. CHANGES IN THE MACHINERY OF GOVERNMENT

The immediate result of the mutiny was the transfer of the East India Company's power to the British Crown, under an Act of Parliament, passed on 2nd August, 1858, abolishing the Board of Control, and the Court of Directors, and appointing a Secretary of State for India, with a Council of fifteen members to assist him to be known as India Council. The Governor-General received the title of Viceroy, and Lord Canning, who had succeeded Lord Dalhousie, was the first Viceroy in India, under the Crown administration through the British Houses of Parliament. "The changes in the machinery of Government in India which resulted from this Act and others passed in the next few years affected mainly the army, the law-courts, the legislature, and the central executive." As regards education under the Act of 1813, the Imperial Parliament had solemnly recognised the obligation of the Indian Government, of promoting "the interests and happiness of native inhabitants of the British Dominions in India," by the adoption of "such measures

as may tend to the introduction among them of religious and moral improvement." This had a most important proviso attached to it—

"Provided always that the principles of the British Government, on which the natives of India have hitherto relied for *the free exercise of their religion* be inviolably maintained."

74. THE ROYAL PROCLAMATION, 1858

In 1858, the Queen's Proclamation, known as the Magna Charta of Indian Rights and Liberties, announced the transfer to the Princes and people of India, on the 1st November, 1858. The principle of the Charter of 1833, which laid down

"that no Indian, by reason only of his religion, place of birth, descent, colour, or any one of them, will be disabled from holding any place, office or employment under the Company,"

was reaffirmed by the oft-repeated declaration that

"our subjects, of whatever race or creed be freely and impartially admitted to offices in our service, the duties of which they may be qualified by their education, ability and integrity, duly to discharge."

75. ECONOMIC DEVELOPMENT—PEACE AND PROGRESS

The after-effects of the Royal Proclamation was that the "air was cleared, peace was restored, and progress became possible." There was soon after 1858, "a marked activity in commerce, administration, education, material prosperity and religious movement. In *Commerce* money had been unlocked and uneathed, and embarked in a perfect revulsion of enterprise." In the departments of *administration*, the Government was preparing steadily for the settlement of the Land Revenues and there were extensive reforms in the Judicial Department, including the increased admission of natives to both bar and bench.

"The *material prosperity* of the country was being yearly developed in an astonishing manner by the progress of the great system of railroads, opening up new parts of the country, bringing produce to new markets, equalising prices, diminishing famine, and leading natives to travel" (*a*)

The very merit of pilgrimages was being smoothed away. *Education* was both impelling, and being impelled by all these changes. There was a perfect avidity for learning English, though self-interest, as usual, was at the bottom of it. And lastly the

(1) Life of Major-General Sir H. B. Edwardes, p. 372.
(*a*) Ibid, p. 373.

religions of the country, both Mohammedans and Hindus were agitated by reforming movements, though of widely different character.[a] Western education had begun to tell, and a new nation was being formed, by the great assimilation of races, into a common civilisation.

"Internally in settled districts the period since annexation has in spite of external troubles been one of steady progress in agriculture and development of economic resources."(*b*)

76. RELIGIOUS NEUTRALITY

A prominent feature of the British rule in N.-W. Frontier Province, as in the rest of India, as a part of the unchanging policy of the British Indian administration is the religious neutrality of the governing race. The Christian religion has been propagated in this Province, as in other parts of India not by force of arms, or under compulsion or inducements, as in the time of Mughal Emperors, Aurangzeb, etc., but by the spread of English education, through missionary schools and colleges. In a later despatch, dated the 7th April, 1859, it was observed that

"from the earliest period at which the British Government in India, directed its attention to the subject of education, all its measures have been used upon the principle of perfect religious neutrality; in other words, on an abstention from all interference with the religious feelings and practices of the natives, and on the exclusion of religious teachings from the Government Schools."

This policy did not appeal to all Englishmen alike. Sir Herbert Edwardes was throughout of opinion that "a safe and expedient policy for the Government" was "an open Bible," which was to be put in the Schools, and a Christian nation should "stand avowedly as a Christian Government." He was evidently of opinion that by conversion to Christianity, the rebellious and warring tribes of the North-West Frontier would become loyal subjects of the British Crown, and they would always fight for the British Government, and defend our lives. In any case he saw no breach of "neutrality," if the moral principles inculcated in the Bible were to be taught in all the schools and colleges: and considered it a duty which had not been performed to the country.

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(2) Life of Major-General Sir H. B. Edwardes, p. 373.
(*b*) Col. Keene's N.-W. F. Province and the War, p. 5.

77. CULTURAL DEVELOPMENTS—MISSIONARY EFFORTS IN N.-W. F. PROVINCE

The missionaries are the pioneers of education in this Province. Since the early years of the British administration in N.-W. Frontier Province, considerable official interest has been taken in Christian missions at Bannu, and Peshawar. A Christian mission was first established at Peshawar, in 1853, recognising its special important position on the N.-W. Frontier. The founder was a military officer, Colonel Martin, of the 9th Bengal Native Infantry, who sent an anonymous donation of £1,000 for the purpose of establishing a Christian mission in the Panjab. But, this proposal met with some opposition from Col. Mackeson, the Commissioner, and Governor-General's Agent on the Peshawar Frontier, on the ground that politically this step, in a large Mohammedan city, recently comes under British rule, was a dangerous experiment. After Col. Mackeson's assassination at the hands of a riligious fanatic, his bold successor, Col. Edwardes, gave his warmest support and approval to the scheme. He was not ashamed to own himself a Christian, being an Englishman following the Christian religion in its purest apostolic form. He was determined to preach one God to the Hindus, and to preach one mediator to the Mohammedans. He recognised that the British Government had wisely maintained a strict neutrality in religious matters; and that it was not the duty of the Government, as a Government, to proselytize India. But he thought that the duty of evangelizing India lay at the doors of private Christians; accordingly he unhesitatingly made an "appeal to private consciences, private effort, private zeal, and private example." He was wanting to assure the Church missionaries of the protection they could claim at the hands of the authorities, similar to the protection held out to the Brahmin idol-worshippers in their temple, and to the Moslem mullahs in their mosques. The "Edwardes Memorial School" and the "Edwardes Mission College," at Peshawar, as well as the "Edwardes Gate," separating the cantonment from the city of Peshawar are his memorials. *Doctor Pfander, Col. Herbert Edwardes,* and *Revd. Robert Clark,* stand out as three well-known historic characters who gave the first vigorous impulse to the Peshawar mission, established by the munificent gifts, contributions and subscriptions of the Church Missionary Society of

Christian Mission at Peshawar.

Three Historic Characters.

Malakand Fort.

London, and who had set before themselves the great ideal of humanizing the wild tribes on the border, under the strong conviction that India is a Stewardship which Destiny or Providence had placed in the hands of England; and who seemed to recognise that this great task is not completely satisfied by road improvements, or canal constructions; neither by the introduction of a penny post, or by cheap telegraphic messages; nor by internal good administration of different civic departments, nor even by restoring peace and checking foreign invasion by armed forces of the Empire, or stopping internal quarrels, and restoring communal harmony, by organised police forces of the country.

78. DR. PENNEL,—"A HERO OF AFGHAN FRONTIER"

Another great worker in the cause of mission work on the N.-W. Frontier, was Doctor Pennel, of the Bannu mission, well-known as "a Hero of Afghan Frontier." As Major-General G. K. Scott Moncrieff, C.B., C.I.E., observes,

> "Dr. Pennel was perhaps the most remarkable Englishman who ever came into touch with the fierce and fanatical tribes of the Afghan border".

He is described as "a fearless Englishman of the best kind," about whom a distinguished officer has said, "The presence of Pennel on the Frontier is equal to that of two British regiments." He first offered, in 1890, at a very young age, his services to the church missionary society, and in 1892, he sailed for this new country, full of enthusiasm and hope. The first place Dr. Pennel worked in was at Dera Ismail Khan, but he went to Bannu within a year of his arrival in N.-W Frontier. As a doctor, he gave medical aid to the sick, but as a missionary he taught the ignorant, in the school at Bannu, and preached the Gospel. He took parties of his boys to Kashmir, etc., places for their summer holidays, and occasionally he took a team of footballers and sportsmen of his school for a tour over the country. His one constant aim was "to get to know the people of India, and to understand their aims, and religious life." He travelled as a Hindu ascetic, or as a Mohammedan priest. He spoke Pushto perfectly: The Afghan Medical Mission set up by him at Bannu, brought him patients from far and near in the settled districts of the N.-W. Frontier Province, also from places across the border, and even from the distant Afghanistan. He was invited to Pathan homes as a friend and once he visited the famous freebooter Chikki, in his native fort.

His conversions to Christianity of some Mohammedan personalities could hardly be liked by the mullahs in the *Ilaqa,* but he continued, for nearly twenty years, his religious preachings, fearlessly, and at a considerable risk to his life.

"With his boys he was an enthusiast at games.....and never wearied of giving them pleasure in some form or another, or of encouraging them to ideal and helping them to be manly and true-hearted. He taught Science and English as well as Scripture in the school, and contrived also to superintend his hostels himself".

He had great faith in the civilizing effect of a medical mission: and the school and the hospital took the greater portion of his attention, but he was ready to be of use to any one who came to him for help, for a trivial or a big cause. "In March, 1912, he died as a brave soldier at his post." Another notable institution at Peshawar opened in the early twentieth century is the Arts College known as Edwardes's Church Mission College, Peshawar, in memory of the great missionary work done by Major-General Sir Herbert Edwardes.

79. THE HIGH IDEAL OF MISSIONARY EDUCATION

The policy kept in view by the great administrators and statesmen, who laid the foundations of the British rule in India, is *"the noble policy of first fitting India for freedom, and then setting her free."* In 1860, Sir Herbert Edwardes, discoursing on the probability of *giving up* the Indian Empire one day, observed that

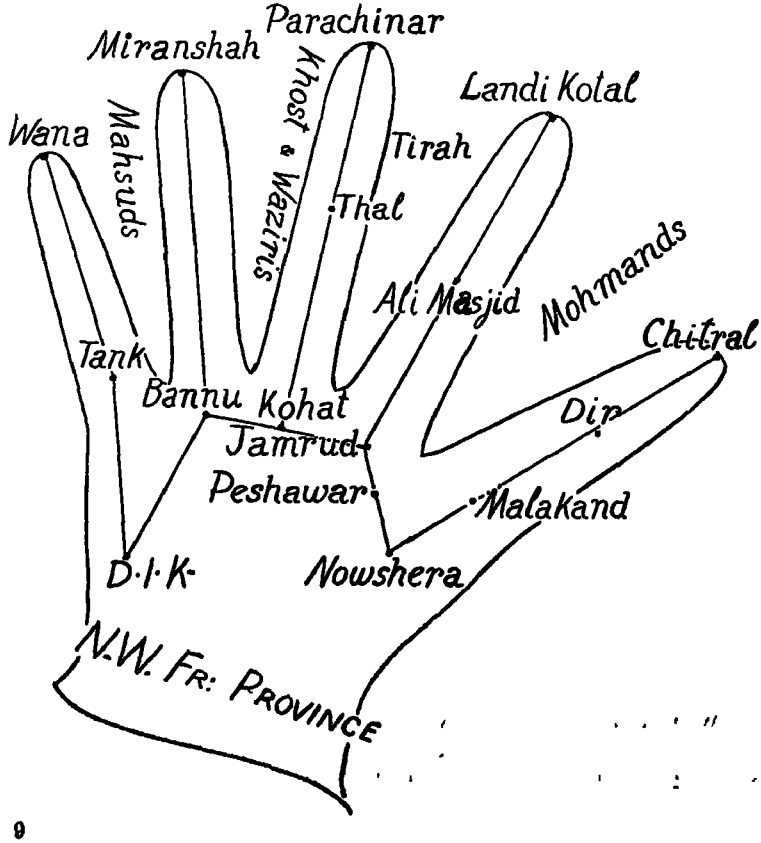
"this was not merely a glorious dream....not to be dismissed as a lofty but vain aspiration. He opined that it may take years,—it may take a century—to fit India for self-Government, but it is a thing worth doing, and as thing that may be done."

One may not agree with his *principle* or belief that *"till India is leavened with Christianity, she will be unfit for freedom,"* but there can be no doubt that "an enlightened and awakened India" "need no longer remain isolated in the East, but may be linked with the civilized races of the West," as parts of the self-same British Empire. Sir Herbert B. Edwardes was always laying stress on "the duty of the British nation to use increased efforts for imparting to India, the blessings of Christianity," without despising or neglecting the native religions, which are a power and a principle with the people. He believed that God had given the Empire to the British Government and placed India in its charge so that it may be blessed with the benefits that he had conferred upon them.

80. THE FIVE SETTLED (ADMINISTRATIVE) DISTRICTS

We have noticed that the Frontier districts were in fact a part of the Panjab forming a Province of Lahore from the time of Muhmmad Ghori. Later, they passed into the possession of the various Muslim rulers of Afghanistan. They reverted to the Panjab, but most ineffectively during Sikh times, and it was not till after the annexation of the Panjab by the British Government that political tranquillity was restored, and order was evolved out of the prevailing chaos. "The five districts of Peshawar , Kohat, Bannu, Dera Ismail Khan and Hazara were administered on the same system as the rest of the Panjab," under the Panjab Government up to 1901.

A sketch map given in "the story of North-West Frontier Province" likens the new Province, in geographical outline to an outstretched hand, thus:—



81. THE THREE NATURAL (GEOGRAPHICAL) DIVISIONS

"The N.-W.F. Province is shut off from the Pamirs by the mountains of the Hindu-Kush. To the South it is bounded by Baluchistan, and the Dera Shazi Khan district of the Panjab, on the East by Kashmir State; and the Panjab, and on the West by Afghanistan."(*a*)

"The Province falls naturally into three main geographical divisions, namely, (1) the Cis-Indus district of Hazara, combined with the territories of the Nawab of Amb, and a small portion of Independent territory adjoining them; (2) the comparatively narrow strip between the Indus, and the hills constituting the settled districts of Peshawar, Kohat, Bannu, and Dera Ismail Khan, and (3) the rugged mountainous region between these districts, and borders of Afghanistan."(*b*)

82. *THE CIS-INDUS DISTRICT OF HAZARA*

The district of Hazara, with its Kagan valley in the North, and touching on the Murree hills, and rich plain lands of the Rawalpindi District, on South-East, comprises both the hilly tracts in the Tehsils of Mansehra and Abbottabad, and the well-watered plains of the Haripur Tehsil. This area corresponds to the territory of "*Takshasila*" or Taxila, which was a flourishing Cis-Indus Hindu Kingdom, with its Capital at "Taxila." Then a centre of the great Aryan civilization, and the seat of the famous University, to which "flocked students not only from the furthest corners of India but also from places beyond the Gobi desert in Central Asia."

"The district is inhabited by a mixed population mainly of Indian origin. The number of Pathans is considerable, but they are by no means the predominant race of the district nor are they characterised by that fierceness and vindictiveness of character which mark them out in the trans-Indus districts of Peshawar, Kohat, and Bannu."(*c*)

This Cis-Indus district contains the summer resort of the N.-W. Frontier Province Government, at Nathiagali, in a range of gallies with well-forested fine tree hillsides.

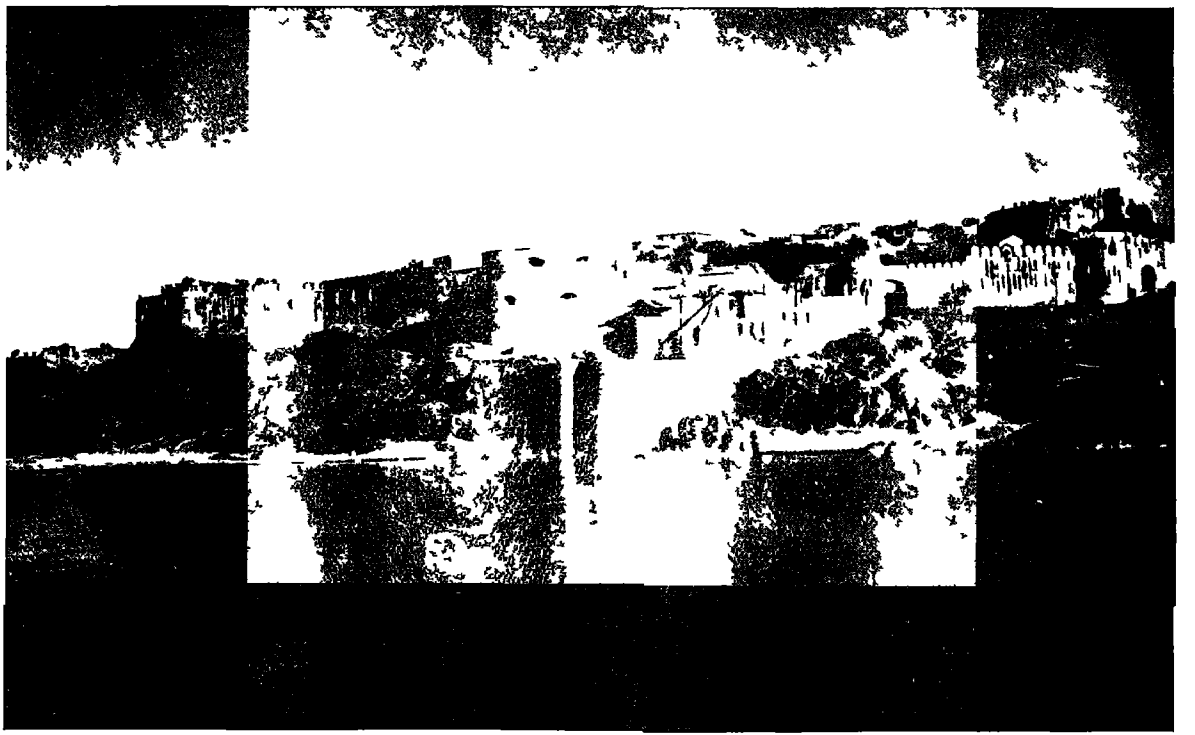
83. TRANS-INDUS DISTRICTS

"The tract between the Indus, and the hills consists of a series of three plains, *viz.*, Peshawar, Bannu, and Dera Ismail Khan, divided one from the other by the low hills of Kohat and by the offshoots of the salt-range".

(*a*) The Census Report, p. 7.

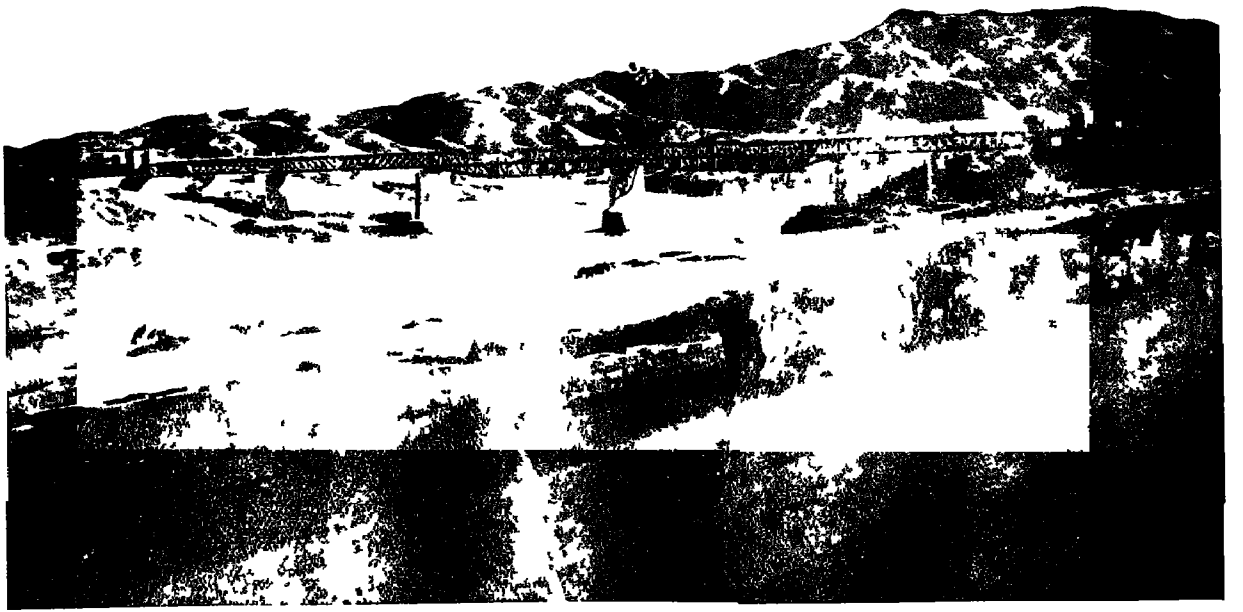
(*b*) The Census Report of the N.-W. Frontier Province 1921, also see The N.-W. F. Province, and the War, by Lt.-Col. W. J. Kneene C.I.E., C.B.E., I.A.

(*c*) The Census Report, N.-W. F. P., 1921.



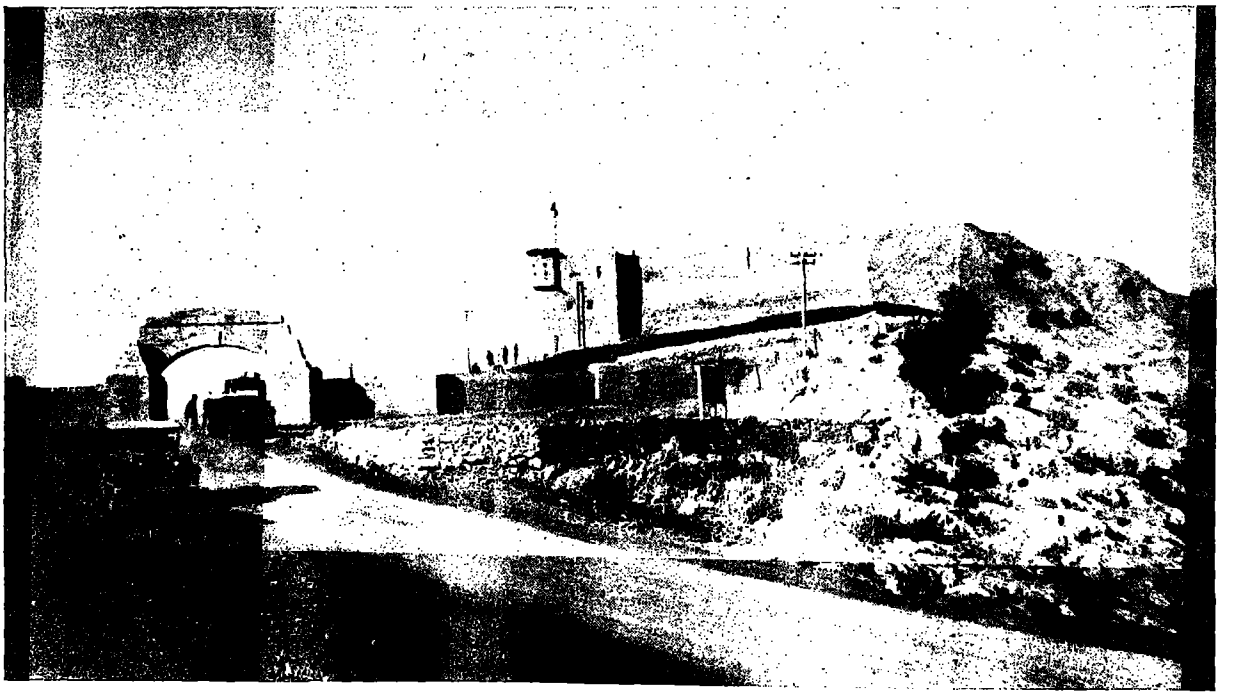
Attock Fort

(Photograph by I Das)



Attock Bridge

(Photograph by I Das)



Gobi-Kohat Pass.

The Peshawar district is separated from Kohat by the Jawaki hills, a rough hilly tract intersected by narrow valleys. "The south spurs of the Kohat hills gradually subside into the Bannu plain." A portion of the Bannu district is irrigated from the Kurram river and forms a most fertile tract of the country. Another well-cultivated tract lies in Marwat, extending from Lakki to the base of Sheikh Budin hills. But the rest of the area, consisting of rough stony grounds stretching south and westward to border, depends on the rainfall. "A clay desert formed by the deposit of the torrents issuing from the Sulaiman range on the west," is called Daman or plain land of Dera Ismail Khan district. This possesses great natural fertility.

"In Peshawar, Kohat and Bannu Pathans constitute about one-half of the total population, while in D I Khan Jat and Baluchees are the predominant agricultural tribes."

In 1877, a Scheme was propounded during Lytton's Viceroyalty to give the Central Government of India a more direct control over Frontier administration: but this was shelved by reason of the Second Afghan War.

84. THE TRANS-BORDER TRACT

"The third natural division of the Province consists of the mountainous region between the settled districts and Afghanistan. In the extreme north lies the Agency of Malakand (Dir, Swat, and Chitral). Chitral consists for the most part of bare treeless mountains. Below Chitral are found the thickly timbered forests of Dir and Bajaur, and the fertile valleys of the Panjkora, and Swat rivers. Between this Agency, and the Khyber lie the Mohmand hills, a rough rocky country, but with a considerable area of cultivated land in the valleys." "The Khyber itself is a narrow pass leading westward from Jamrud on the Peshawar border to Landi Khana on the confines of His Majesty the Amir's territory. It is little more than a narrow gorge most of the way, with some scanty attempts at cultivation here and there. West and South-West of the Khyber comes the country of the Afridis and the Orakzais. The boundary of the Province here follows the line of the Sufed Koh, which flanks the Kurram valley. Dotted with towered hamlets and stately chinar groves, this fertile tract, watered by the Kurram river, runs back from the Peiwar Kotal below the great peak of Sika Ram (or Si Karam) to the head of the Miranzai valley of the Kohat district. South again of the Kurram lie the disorderly congeries of the Waziri hills, intersected by the Tochi valley on the north end the gorges that lead to the Wana plain on the south. These inhospitable hills are for the most part barren and treeless. But here and there as in the Kaitu valley in Northern Waziristan and round Kaniguram in the south they open out into fertile and well-irrigated dales. In places too, as for instance round Shawal, the summer grazing ground of the Darwesh Khel, and the slopes of Pir Gul, fine forests are to be found. The valleys of

the Tochi and Wana in which the actual protectorates are situate, are both fertile but are very different in character." The former is a long narrow valley more like the Kurram vale, with a rich fringe of cultivation bordering the river that waters it; the latter is a wide open alluvial plain cultivated only on the one side, and for the rest rough stony waste. Here in the Wana agency the Waziri hills may be said to converge into and become part of the Sulaiman range, which culminates in the famous Takht-i-Sulaiman in the Largha Sherani country, a political dependency of the Dera Ismail Khan district. This mountain, which presents perhaps the grandest precipitous scenery in the Frontier, forms the barrier between the North-West Frontier Province, and the Baluchistan agency.

"This tract has a temperate climate in summer with extreme cold in winter and rain is much more abundant in winter than in summer. It is almost wholly peopled by Pathans who are as courageous and vindictive as those of the British territory but on account of the absence of settled and civilized Government they are much more wild and their predatory instincts are abnormally developed."(a)

85. THE POLITICAL AGENCIES

The necessity of improving the relations of the British districts with the trans-border tribes has been constantly felt by the British administrators and statesmen, since the occupation of N.-W. Frontier Province, as part of the Panjab. A special political agency for the Khyber was started in 1878, with duty to keep the pass open. The cession of Kurram in 1879, by the Afghan Government, led to a similar agency being created for Kurram area in 1892. The Durand line demarcation in 1894, under which the Amir of Kabul ceased to exercise any control on the independent tribes of the border, the British Government assumed a responsibility over the tribal territory intervening between the five settled districts of the N.-W. Frontier Province, and the rugged mountain regions on the border of Afghanistan. The three remaining agencies of Malakand, Tochi, and Wana were developed in 1895-1896. The last two agencies were left in charge of the Panjab Government working through its Commissioners. The Malakand agency was placed directly under the Government of India as it dealt with the area administered by the British Government through allied and subordinate Chiefs of Swat, Chitral, Dir, and Bajaur. The independent territory of Tirah, Waziristan and the rest for which the British Government had assumed control under treaty rights with the Amir of Afghanistan,

(a) The Census Report, N.-W. F. P., 1921.

Kohat Pass and Afridi Villages

The Evolution of the North Western Frontier Province.

was mainly held by the various tribal laws sanctioned by brute force of arms. The British control was confined to various roads driven up the different passes in Khyber, Kurram, Tochi, and Gumal for defence purposes.

CHAPTER V.

THE NORTH-WEST FRONTIER IN THE 20TH CENTURY. THE BRITISH PERIOD—N.-W. F. PROVINCE

86. SEPARATION OF FRONTIER FROM THE PANJAB

Uptil the year 1901, the Province formed part of the Panjab, but during Lord Curzon's time, in 1901, the Frontier policy, with its military and economic aspects, was closely examined as part of the foreign relations of British Indian Government with Afghanistan and Russia. Lord Curzon, with his familiarity of conditions in Central Asia, considered himself to be an expert in this matter, and against the wishes of the Panjab Government which had hitherto managed the Frontier affairs quite successfully since the annexation, he decided to separate N.-W. Frontier Province, with its five settled districts of Hazara, Peshawar, Kohat, Bannu, and Dera Ismail Khan, and five agencies, directly under the Government of India, the former under the charge of a Chief Commissioner, assisted on the Judicial side by the Judicial Commissioner, and on the revenue and executive sides by the Revenue Commissioner; and the latter under the same officer, in his capacity as Agent to the Governor-General. The administrative divisions are thus described:

Administrative Divisions.

"For purposes of administration, the North-West Frontier Province was divided into five regularly administered districts, each in charge of a Deputy Commissioner, and Extra Assistant Commissioners to assist him, and trans-border tribal territory made up of five political agencies, and five tribal areas, of Dir, Swat, and Chitral, Khyber, Kurram, North Waziristan, and South Waziristan. The trans-border territory was held by the tribes subject only to the political control of the Chief Commissioner in his capacity as Agent to the Govenor-General, assisted in the case of Waziristan, by the Resident in Waziristan; and under him each agency was administered by a political agent, while each of the Deputy Commissioners of the settled districts regulated the political relations of the tribes of the tribal area adjoining his district".

87. THE OBJECT OF THE SEPARATION

The object with which the severance of the five settled districts from the Panjab came into effect, under the scheme of a separate North-West Frontier Province, was

"that the conduct of external relations with the tribes on the Panjab Frontier should be more directly than hitherto under the control and the supervision of the Government of India."

The Secretary of State's View.

The Secretary of State, in sanctioning the general idea underlying the proposal, was not completely satisfied with the scheme. He observed that "in the case of the settled districts" which were proposed to be detached from the Panjab,

"it was clearly undesirable that the people who had already enjoyed benefits of a highly organised administration with its careful land settlements, its laws and regulations, and the various institutions of a progressive civil Government, should be thrown back from the stage which they had already reached."

It cannot be gainsaid, that whatever the political justification of the scheme, its immediate result was the detachment from the Panjab of the five "advanced and settled trans-Indus British districts" to a lower system of administration, and as such the proposal was open to most serious objection. He regarded the measure as "experimental," and noted that "its actual working would have to be carefully considered."

It should be noticed that since the inauguration of the new Province, the High Military Command in India has remodelled the strategic control of the Frontier in several respects. The regular troops no longer garrison the agencies, but are concentrated in large cantonments, and their place in outlying places is taken up by Militias, and Bader Military Police. However, roads and railway extensions ensure the despatch of regular troops at strategic points.

CHAPTER V (A).

EXTERNAL RELATIONS WITH AFGHANISTAN DURING THE GREAT WAR

88. HABIBULLAH, THE STAUNCH AMIR

In 1904, Amir Habibullah succeeded peacefully to his father, and the British Government established friendly relations with him, by recognising him as the King with the title of "His Majesty," and continuing the subsidy on old terms. The new King visited India in 1906, and was made a master mason of Lodge Frontier in one night, by triple dispensation granted by Lord Kitchener as Grand-master of all the freemasons in the Panjab and N.-W. Frontier Province. The friendship and alliance of Amir Habibullah was a most valuable asset to the British Government, and it was free from the somewhat jealous suspicion of Britain's attitude which had dominated the cautious and self-interested policy of his father.

CHAPTER V (B).

THE WORLD-WAR, 1914-1918

89. THE WORLD WAR, 1914-1918

When the World War came in 1914, and the Mullahs in Kabul preached *Jehad* against the British, in sympathy with the Sultan of Turkey, who had joined the War on opposite side, the King of Kabul was steadfastly true to his "obligations of the badge of friendship and the bond of peace," and on the strength of this friendship, in spite of the strong position occupied at Kabul by the fanatical religious party, the British Government could safely send out their Indian army, and most of the British Forces, to participate in the Great War in Europe. His Majesty the Amir Habibullah Khan had publicly declared his neutrality in the War, and he further impressed on the Government of India, again and again, the necessity for avoiding any provocative action on the Frontier that might embarrass him in fulfilling his pledge. The circumstances in which he was placed were such that he could have pleaded excuses for pursuing quite a different policy from what he did: and it is a matter of great satisfaction to note that through all his reign

"relations between border officials of Afghanistan and those of India were better than they ever had been, in spite of the unrest among the independent tribes which separate the two kingdoms". (*a*)

India owes an everlasting debt of gratitude to Amir Habibullah Khan, whose remarkable staunchness, at a most critical period, checkmated the efforts of Germany and her allies in making a cats-paw of the Afghans and tribesmen and unsettling the border.

90. INTERNAL SITUATION AT THE OUTBREAK OF WAR

The situation generally at the outbreak of War was normal. The agricultural classes experienced some prosperity owing to increased prices of grain, grass and fodder. A railway surcharge of Re. 1 per maund was imposed on exports of grain and flour from the Province to relieve the distress amongst the urban population.

(*a*) Col. Keene's "The N.-W. F. P. and the War," p. 12.

Income-tax receipts rose appreciably, and "it is fair to find in the increase of civil litigation and indication of the steadily improving condition of the people."

The Declaration of War in August 1914 was followed by people taking a very keen interest in "the great struggle with a powerful foe," and so far from there being any disurbance in the Province at a time when the British Forces were engaged elsewhere, there was enthusiastic support of the British Government displayed by the masses in N.-W. Frontier Province, and there were "promises of service, and expressions of loyalty on all sides." As Col. Keene observes in his statement of the situation,

"we had our troubles no doubt, for no efforts were spared by our enemies to poison the minds of the people, but they failed to make any real impression, and the vast majority of the people showed clearly by their words and by their actions, their contentment with the existing regime and their unwillingness to add to the already heavy embarrassments of the Government." (*a*)

91. PUBLIC CONTRIBUTIONS

The writer remembers the ease with which public subscriptions were collected at different centres in aid of the War-fund, when the immensity of the issue involved was pointed out by Hindu and Mohammedan speakers at the meetings called for the purpose by the authorities. The total sum received by way of subscriptions to the Provincial Indian Relief Fund, North-West Frontier Province, from the date of its inception up to the 31st December, 1918, was Rs. 1,38,451 odd. The provincial branch retained Rs. 34,612 as its share for local civil distress, and the balance was remitted to the central fund. The second Indian War Loan was a grand success, under the inspiration of the Chief Commissioner, Sir George Roos-Keppel, the total contribution from different district committees amounted to Rs. 26,90,210 in shape of War-bonds, 1921-1928, and postal cash certificates.

92. RECRUITMENTS

At the outbreak of War, about ten thousand Cis-Frontier men, and over five thousand trans-Frontier tribesmen were already serving in the army. The supply of recruits commenced under pre-war system in 1914, and lasted for 35 months. About seventeen thousand combatants were enlisted in this manner. Late in October, 1917, the terri-

(*a*). Col. Keene's "N.-W.F.P. and the War," p. 8.

torial system of recruitment was adopted, and district recruiting committees under the auspices of the Provincial Board were organised. The Hindus of N.-W. Frontier Province as in the Panjab, were showing the greatest concern in the success of the British armies as they had known political tranquillity in their part of the country after several centuries only during the British regime. They spent lot of money and influence in securing a supply of recruits from amongst the zamindar class. The total number of men who mobilized from the N.-W. Frontier Province during the War was 32,454 combatants and 13,050 non-combatants, total 45,504 belonging to the Indian army: and in addition the armed forces of India (militias, levies, and Frontier Constabulary) serving in N.-W. Frontier Province were 13,416 men. With the pre-war Indian army of 15,684 men, and 10,218, militias, etc , the grand total of man-power which the N.-W. Frontier Province, contributed to the Great War, amounted to 84,822 men, of which about 18% were non-combatants. Mr. Asquith, as British Prime Minister, used words expressive of the country's grateful recognition of India's aid in the Great War, which made people hope that they will receive some satisfaction of their political aspirations at no distant date. He said,

"henceforth Indian questions would have to be approached from a different angle of vision".

CHAPTER V (C).

EXTERNAL RELATIONS AFTER THE GREAT WAR

93. THE INVASION BY AMIR AMANULLAH KHAN

Amanullah Khan, the third and ablest son of Habibullah Khan, was the Governor at Kabul when his father was murdered in 1919, while shooting in Loghman, in the country, north of Jelalabad. The real instigators could not be identified, but it is suspected that Amir Habibullah lost his life for his loyalty to the British. "The immediate man to benefit was Amanullah." His uncle and elder brother were summoned to Kabul, and paid him homage as Amir. The new ruler was extremely popular in India, as a great reformer and statesman, with deepest sympathy for Indian aspirations of freedom, but this gave him quite an exaggerated idea of his power to take advantage of political unrest in India in Lord Chelmsford's time, and in May, 1919, with a view to placate the party which wanted a *Jihad* to be proclaimed against the British, the Amir's troops committed the colossal folly of crossing the Frontier, and invading the British territory. Badly beaten at Dakka, and not joined by the border tribes in any considerable numbers, nor helped by any disturbance in British territory, in spite of the silly propaganda of the Afghan Post-master in Peshawar, the Afghans soon realised the mistake of their unprovoked attack, and sued for peace when the British were marching to Jelalabad on their way to Kabul. In the Kurram, General Nadir Khan was defeated by General Dyer; and on the Quetta side, the British had captured the Afghan Fort of Spin Baldak, when an Armstice was arranged, and peace secured on terms of the cancellation of the subsidy grant, but the freedom of Afghan foreign relations from British control was fully recognised, which relieved King Amanullah's anxiety. The troubles at Peshawar were traced to some ephemeral anti-British propaganda, which was hardly worth serious notice being taken of. The arrest of the Afghan Post-master, and a military display of force surrounding the city and the suburbs was enough to restore the normal situation. There was some possibility of the British taking retaliatory measures against Afghanistan, but probably because of their great commitments in the World War, and of a desire

not to further alienate the sympathies of a section of their Moslem subjects in India, especially in the Panjab and N.-W. Frontier Province, the British Government generously granted the much desired peace, in an endeavour to strictly adhere to the important policy of maintaining intact the Afghan Kingdom as a friendly power.

94. AFGHANISTAN UNDER NADIR KHAN AND HIS SON

After his European tour through India, visiting England, Turkey, and Russia, Amanullah Khan was full of grand ideas of founding a strong and prosperous Afghanistan on modern democratic lines, but he was much in advance of his time, and could not satisfy the fanatical counsels of his subjects under domination of the wily mullahs, who were disgusted and annoyed with his programme of progressive reforms, on ultra-radical lines, and he is now a refugee in Italy, having been overpowered by a rebellious bad character Bacha Saqa, who had a short and temporary lift given to him by circumstances of influences at work against King Amanullah Khan.

95. PRESENT FRIENDLY RELATIONS

His uncle, and General, Nadir Khan, who was spending his time in Paris when Amanullah Khan fled from Afghanistan, came to India by sea, and travelling up to Peshawar, and from there after some preliminary preparations to Kabul, achieved a remarkable success in restoring peace and order in Afghanistan, on the broad lines of establishing a strong and powerful Afghan dynasty as a ruler over Afghanistan, as friend and ally of the British Government in India. His young son, King Zahur Shah, is following in footsteps of his worthy father, and adding to the success and glory of the Afghan Crown as an ally of the British Indian Government.

CHAPTER V (D).

EXTERNAL RELATIONS WITH TRANS-BORDER AFTER SEPARATION

96. OUR TRANS-BORDER NEIGHBOURS

The attitude of the tribes also, in the days of the Great War, was less disturbing than usual, no doubt under the influence of the strong friendly policy pursued by the Amir of Afghanistan, and the control of the Province by Sir George Roos-Keppel, "a personality of commanding influence among the Chiefs, especially the Afridis." Mr. Ewart observes in his work "The Frontier and the War."

"The independent tribes . . . were necessarily an uncertain quantity. They looked to Kabul for a sign, and received it in the Amir's open avowal of complete neutrality" (*a*) "The Amir's declaration of neutrality and condemnation of the bellicose folly of the Turks was of incalculable value. Still the situation in the tribal territory was anxious in the extreme." (*b*)

Trans-Frontier recruiting had to cease, as the unsatisfactory condition of the trans-Frontier men in the army was noticed in the early months of War, and from time to time several desertions were reported. They were warned that Pathan deserters from the army would be treated exactly in the same manner as other classes of the Indian army, but these warnings were unheeded. The Government of India openly declared that

"the tribes must see themselves that during this war the confidence which Government reposed in them had been rudely shaken. It lies with the tribes. by good behaviour, to restore that confidence". (*c*)

It has been observed that

"in addition to her contribution to the Great War, the Province had to carry on several campaigns of her own which in other times would be considered very serious operations."(*d*)

History of Our Relations with Trans-Border Tribes During the War.

(*a*) & (*b*) Ewart's The Frontier and the War, pp. 35-41.
(*c*) Col. Keene's "N.-W. F. Province and the War," p. 33.
(*d*) Ibid, p. 9.

97. APRIL 1914 TO MARCH 1915

"The beginning of the war, (1914) saw unrest in Black mountain tribes, and a threat of attack on Oghi. In Bajaur the Babra and Sarkhani mullahs started agitation; which however failed. Maladministration of the Afghan District of Khost and its frequent use by hands of out-laws as a base for raids into British territory led to reprisals on our part which in turn led to a further aggression on theirs. On the 29th November 1914 a large force of Zadrans, Tanis and Gurbaz descended on Miranshah and on the 7th January 1915 a similar force attacked Spina Khaisora. Again in March a third and very strong *lashkar* which had collected at the head of the Dandi plain was attacked and routed by the movable column at Miranshah and the North Waziristan militia with a loss to the enemy of 240 killed, while our own casualties were insignificant. This decisive defeat ended trouble from the Khost direction. At the same time there was an outbreak of raiding on the Mohmand border, and the situation with regard to the Mahsuds was distinctly bad owing to developments following the murder of Major G. Dodd, C.I.E., Political Agent, Wana; Capt. Brown, 2nd in Command, South Waziristan Rifles; and Lt. Hickie, Royal Artillery, at Tank, in April 1914. The *Jirgas* of the tribe were seen by the officiating Chief Commissioner (Hon'ble Mr. J. S., afterwards Sir John Donald, C.S.I., C.I.E.), and our terms were communicated to them. At first it seemed that they were inclined to be entertained, but subsequently their attitude changed, and the close of the year found them still defiant."(*a*)

Trouble from Khost Direction.

Mohmand Raid

98. THE ATTITUDE OF AFRIDIS

"The attitude of the Afridis was excellent. The two outstanding events of importance with regard to them were the doubling of the Khyber road and the doubling of the Khyber Afridis allowances. The political value of the latter, which was a long overdue measure of justice, would be hard to overestimate, as the position of the Afridis as well as their character, makes of them a sort of fire-proof curtain between the northern and southern tribes without raising of which no conflagration can be of serious importance."(*b*)

99. APRIL 1915 TO MARCH 1916

"This year opened with serious trouble from the Mohmands who in April descended and attacked our troops near Shabkadr, but were driven off. The trouble originated by the Mohmand firebrand, Haji Sahib of Tarangzai, then extended to Swat and Boner, and in August attacks in the neighbourhood of Chakdarra and of Rustom on our troops were also easily repelled. In September again the Mohmands attacked but were heavily defeated

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(*a*) Col. Keene's N.-W. F. Province and the War, p. 9.
(*b*) Ibid, pp. 9, 10.

with a loss of some 1,000 killed and wounded. Nothing daunted they again attacked in October with a similar result."

Mohmand Blockade.

"Faint-hearted attacks also by Bajauris on our column near Chakdarra were easily dealt with. As a result of all this the Mohmands, Swatis and Bonerwals were put under the blockade. (*a*)

The Afridis continued to behave well but in the south the Mahsuds, who in the earlier part of the year had shown signs of complying with the terms of Government, later sent in an ultimatum in which they threatened to attack Sarwakai fort, and the Gumal posts, and they proceeded to make good their words by attacks on our troops and militias. The tribes raided into British districts throughout the summer and autumn producing in the Dera Ismail Khan district, a state of affairs without parallel. The history of the district at that time was one long story of rapine and outrage by the Mahsuds, and in spite of superhuman efforts on the part of the troops, militia, constabulary and police, its northern half was almost ruined. The Bannu district also suffered heavily, at the hands of raiders. For the time, however, a defensive policy was imposed on us owing to the heavy drain on our military recources in other fields."(*b*)

Raids in Dera Ismail Khan and Bannu.

100. APRIL 1916 TO MARCH 1917

"During this year the outlook with regard to the Mohmands at first seemed hopeful, but the steady and level-headed members of the tribe were overborne by the preaching of the mullahs, and fanaticism of the crow, and in September an ultimatum was delivered by them demanding the raising of the blockade and restoration of allowances. Receiving what they considered an unsatisfactory reply the tribe opened hostilities by attacks on our troops and by raiding on an extensive scale. This necessitated the despatch of more troops to that part of the border and an intensive blockade which took the novel form of the construction of a barbed wire fence from the Swat river to the Kabul river with a line wire running throughout its entire length of 17½ miles, and a system of blockhouses at intervals of from 400 to 800 yards. In November the mullahs had collected a *lashkar* of some 6,000 men and it was decided that this must be dispersed. This was done after a half-hearted fight on the part of the Mohmands, and the dispersal of the *lashkar* was expedited by the co-operation of our aeroplanes. The northern border of the Province was otherwise tranquil, in spite of the fanatical efforts of the mullahs. In the Swat the more important elements, so far from responding to the mullahs, approached the political agent with the request that Government should take over their country. Owing to their good behaviour the blockade was raised against them in March 1917".(*c*)

Barbed Wire Defences-Blockhouse Lines.

Mohmand Lashkar.

(*a*) & (*b*) Col. Keene's N.-W. F. Province and the War, p. 10.

(*c*) Ibid, pp. 10 & 11.

As the year drew to an end however, the cloud on the MAHSUD BORDER grew blacker. In March 1917, they made a strong demonstration against the fort of Sarwakai, garrisoned by the south Waziristan militia. In an unfortunate sortie against them the militia lost heavily and nearly lost the fort, which only just managed to hold out till relieved a week later by a column from Tank."

Mahsud Demonstration.

"Exaggerated reports of this event greatly excited the Mahsuds who embarked upon an active campaign against our posts and communications which necessitated stronger and more determined measures than we had hitherto undertaken." (*a*)

101. APRIL 1917 TO MARCH 1918

"By June of 1917 the Government faced with the dilemma of abandoning the Gumal line and securing a *Modus Vivendi* by a display of force, had determined on the formation of the Waziristan field force. This concentrated in June at Jandola and advanced through the *Shahur Tangi* blowing up towns and water-courses as far as Torwam in the Khaisora and meeting with little opposition as the tribes were taken by surprise. Once more the new arm, the Air Service, proved its great moral value against uncivilised Frontier tribes. On 2nd July, the Mahsuds sued for peace and by 10th August they accepted our terms which were complied with in full" (*b*).

Waziristan Field Force.

The Air Service.

"Elsewhere on the Frontier, the Afridis gave considerable cause for anxiety owing to the increasing efforts of the Turks in Tirah and their Afghan supporters, but the good sense of the tribesmen prevailed. They did not confine themselves to passive neutrality but took the active step of attacking the village in which the Turks and their Afghan followers were living, capturing them and puting them across the border into Afghanistan, where they were arrested by roder of the Amir. The Mohmands, who had been spasmodically restless throughout the war, were still under strict blockade but in May they sued for terms. In July a full *Jirga* was received and our terms announced which though severe were accepted *in toto*, and thereafter the tribe gave no further trouble" (*c*).

102. 1918-1919

"From that time or till the end of the War there was no further serious trouble—in fact so good was the situation that in the month of May the Chief Commissioner obtained permission of the Government of India to pay a visit to the Mehtar of Chitral and to the Nawab of Dir. His reception in both these States was excellent, and the political effects of the visit were good. He returned in June, and it was hoped after the end

Reception of Chief Commissioner at Chitral and Dir.

(*a*) & (*b*). Col. Keene's N.-W. F. Province and the War, p. 11.
(*c*). Ibid, p. 11.

of the war that the Province would enjoy a period of rest after the turmoil of past years. This, however, was not to be. The political trouble in India, and especially in the Panjab early in 1919 had their echo in the Province and this, combined with the removal, in the month of February, of our very good friend the Amir Habibullah Khan by the hand of an assassin, which subsequently led to the declaration of war by Afghanistan, made the year 1919 even worse than those which had gone before". (*a*) "There can be no doubt that India will ever have cause to remember with gratitude the name of H.M. the Amir Habibullah Khan who proved so true to his friends and to his word at a time when clouds were dark and pressure upon him both from within and without was such that much excuse could have been found for him had he found himself unable to resist it." (*b*).

103. POST-WAR TRANS-BORDER CAMPAIGNS

In 1919, Waziristan border was again a source of trouble, which proves "the susceptibility of the Frontier to burst into flame." The following brief account summarized from General Sir George MacMunn's Work on the "Turmoil and Tragedy in India" will be instructive. Major-General Climo was holding the Waziri border at the time of Afghan in road with little more than the peace time establishment. The two militias had been withdrawn, as the Afghan threat was then ended. The British position at Bannu was reinforced, restoring the position in Lower Tochi, but the more distant Wazirs and Mahsuds remained active, raiding several British convoys, and ambuscading officers and men. In southern Waziristan, tribal *lashkars* "round the border, plundering without restraint." Frontier constabulary posts deserted abandoning several forts. The Mahsuds in large parties came over the Indus even to Isakhel, ambushing British cavalry parties on patrol duty, destroying telegraph escort, and raiding the country. The weakness of defence on this border encouraged the tribes to commit "close on 200 raids." The loss of property and life was very considerable, and the Government of India started the campaign of retribution and settlement in 1919, with a view

The Waziristan Trouble, 1919-1920.

"to re-establish its diminished prestige, to ensure the protection of their own people in future, and to repair the morale of an army much damaged by losses of young troops who had heretofore comprised them".

Instead of pursuing the "Forward Policy," then suggested as the only suitable remedy, the British Government started negotiations

(*a*) & (*b*). Col. Keene's N.-W. F. Province and the War, p. 12.

with tribal *Maliks* or Chiefs, and invited tribal *Jirgahs* or assemblies to hear the Government view on the question of tribes' misbehaviour and punishment, in the shape of compensation and reparation for damage done which the tribes must pay. A "protected area" was intended to be made in Waziri hills, to prevent future transgressions of neighbourly peace. A refusal of the terms announced meant return to war, which would be undertaken by the punitive columns in sufficient strength, supported by aeroplanes. The "striking force," later called "Derajat Column" was supported by big reserves in Tochi, and other valleys. The Tochi Wazirs accepted the terms *in toto*, but the Mahsud Wazirs made no submission and a daily air bombardment of their country was the result; followed by an advance up the Tank Zambed. As the force advanced, the line was blockhoused, with strong barbed wires equipped with bombs and supported by camps of troops at intervals. In taking a ridge that commanded the road, the Mahrattas lost 5 British officers and several men: and the Coke's Rifles were thrown into confusion pursued by 900 Waziri marksmen. This was a great disaster for British arms. The ridge was taken next day by the Bannu Bridge, supported by planes, and the prestige and *morale* of the troops was restored, but with some further sacrifices. A picquet of the Panjab regiment with one British officer was taken at a disadvantage, and in making a bayonet charge were all shot down. In taking the post of "Black hill," the troops covering the construction again lost heavily, and had to withdraw in face of attack after attack from the Mahsuds in large numbers. The enemy had "well-trained soldiers, and numerous rifles," and were provided with "unlimited ammunition": and it was a most difficult task well achieved when the British forces, undaunted by earlier failures, moved and re-took the hill called "Pioneer Piquet." The situation improved when a permanent post was established on Mandanna hill. The Mahsuds now asked leave to attend a *Jirgah* at Jandola, and in view of the opposition met with were told to pay double the fine of rifles and signed their acceptance of the ultimatum. However, as the British advance continued to claim the surrendering of the rifles and the payment of the fines by the tribes, there were one or two encounters in which, after fierce conflicts, the Mahsuds inflicted further heavy losses on the British forces engaged in capturing certain ridges. The British forces continuing their advance on Koniguram met with the severest opposition. The Tangi hill was surprised with the help of

aeroplanes, and strong posts were made, and road making through the gorge was put in. The next stiff task was the Barai Tangi, a gorge above Sora Rogha Camp. The Mahsuds in despair appealed for Afghan help, but a truce then existed between Afghan and British armies. Two Afghan guns were loaned out, which encouraged the Mahsuds to raise another *lashkar* of 4,000 men. This broke down against modern British pieces assisted by Bomber planes and the Derajat column reached its objective in March, 1920. The casualties suffered by the Derajat force during the winter of 1919-1920 was about 2,500, but there was yet no settlement in sight. A policy was then inaugurated of placing the Waziristan force on a permanent footing, by building a motor road from Jandola up the Tonk Zam to Laddha. Thus, the conduct of the Waziris themselves in not accepting the terms, and agreeing to a more civilized mode of life, led to the occupation of a part of their territory, along the line of General Sheen's advance, and to minimise the military expenditure of occupation, the Wana garrison was withdrawn, and the Razmak Cantonment was constructed at a striking distance of the heart of Mahsud land.

104. THE MAHSUD OPERATIONS OF 1922-1923

The withdrawal of the Wana garrison and the transfer of military centre from the advance post of Laddha to Razmak, which was a step dictated by post-war economy, was mistaken by the Mahsuds as a sign of British weakness, and that broke out into fresh hostilities in 1922-1923. The Razmak base was utilised to march against Makin, with heavy Howitzers; and the troops available were better trained than those available in 1919-20. As a punishment for Mahsud aggression, "the whole of the Makin area was devastated." This brought the Mahsuds to their senses, and they accepted ultimately the terms of settlement previously offered to them.

The Razmak Policy.

THE RAZMAK POLICY, of making a large upland cantonment at Razmak, dominating the tribal storm centres, and containing a big gun or two appears to have stabilised the Waziristan situation.

"Wana has again been made a Frontier cantonment and at long last, the Razmak road runs on through the heart of Mahsud country to Wana itself." (*a*)

(*a*). Sir George MacMunn's Turmoil and Tragedy in India, p. 223.

The existence of this motor road some 20 or 30 miles through the country was of great use

"when, early in 1933, a rising in Khost produced a siege of Matun by rebels and many thousands of young men from the Waziri hills went off to join the insurgents. Lord Willingdon's Government took a strong line. The Governor of the Province flew to the heart of Waziristan, summoned the *maliks* and said that if the youths were not back in four days he would blow up the house and tower of every headman concerned."

This is the argument which the wild tribes now seem to understand. The mastery by air, by petrol lorry, and by well-trained troops is effected. But even now the uncivilised tribes can be excited on any religious pretext into aggressive intruders or potential invaders: and it will be a long time before they accept the British sway over their hilly tracts.

105. WAZIRISTAN TROUBLES, 1930

In May, 1930, the Tochi emissaries from Bannu had succeeded in stirring up some unrest, and a *lashkar* attacked the British post of *Datta Khel* on May 11th. On May 14th, several villages of the Madda Khel, who were concerned in the attack, were after due warning bombed from the air. The lashkar had now dispersed and the tribal leaders were reported to be negotiating for terms. A joint *jirgah* of Mahsuds and Shakai Wazirs was held on the 16th to decide the attitude of the tribe. Wana Wazirs were quiet. Reports showed that the unrest in Waziristan was due to the deliberate dissemination of false reports about the Peshawar disturbances, the Sarda Act, and the political situation in India, by malcontents connected with the Congress. In Waziristan, the action taken from the air against the Madda Khel villages in North Waziristan was immediately successful. Twenty maliks surrendered themselves as hostages, and the terms to be imposed on the tribe for the unprovoked attack on Datta Khel post were announced. The tribal dispersed without adopting a resolution in favour of hostilities, and a subsequent jirgah convened by hostile elements of the tribes was a failure. The loyal maliks were able to control the position by the end of May, 1930. The maliks detained in Miranshah fort had asked permission to deposit fine required immediately in order that they may be released to control

Attack on Datta Khel Post.

Cause of Unrest.

malcontents. A lashkar of Mahsud Shabi Khel and Kikrai of Shaktu had collected in the end of May to attack Garrarias of Sigai village near Ladhad who gave information leading to arrest of two Hindu suspected of carrying revolutionary propaganda to Kaniguram jirgah. Ultimatum had been issued to Shabi Khel and Kitiarai to vacate their villages as Government proposed to retaliate in any way it thought fit if Sigai was molested. The lashkar had so far committed no hostile act either against Government or against friendly village of Sigai. Attempt of Mahsud hostilities to secure support from Madda Khel Wazirs against Government had failed. Wana Wazirs were all quiet up to May 31st.

Mahsuds.

In June, 1930, Waziristan, Madda Khel, and Khiddar Khel Wazirs had paid in full fine inflicted on them for their unprovoked attack on Datta Khel post. The maliks who had surrendered themselves as hostages had therefore been released and had departed to their homes to assist in controlling tribes. The villages from which Shabi Khel and Kikarai Mahsuds had collected were given ultimatum and ordered to evacuate as Government proposed to retaliate if Sigai was molested. On the night of 31st May, Sigai village was entered and partially burnt whereupon air action was taken against the villages concerned. This was at once successful and lashkar appeared to have dispersed Mahsuds otherwise were reported quiet. But two parties of agitators described as Congress emissaries from Bannu side numbering seven in all were reported to have entered Shaktu and thence proceeded to Maidan, where they were endeavouring to organise collection of lashkars and advocating joint jirgahs with Tori Khel Wazirs for concerted action against Government. There was propaganda going on amongst tribes. Latest phase of this form of activity in Waziristan foretold appearance at an early date of the son of Ex-King Amanullah in Mahsud country. Leading hostiles were doing their best to spread this rumour in attempt to bring about Wazir-Mahsud combination against Government.

June 1930.

In Waziristan, in the beginning of July, 1930, hostile Mulla Gulin had again succeeded in raising a following with proposed object of attacking friendly Mahsud sections. warning had been issued to hostiles that air action will be taken against them in the event of any further activity.

July 1930.

In the second week of July, there was recrudescence of hostile

activity in South Waziristan. In upper Shaktu area hostile Shabi Khel Mulla Gulin succeeded in collecting lashkar of Shabi Khel, Kikarai, Jalal Khel and Nasor Khel Mahsuds. Simultaneously Mulla Kundalai with Ramzan, Sadde Khan and other hostile leaders collected lashkar in Maidan and Baddar valley area. On the evening of 6th July, Gulin's lashkar invested Scouts posts at Sararogha and during night fired shots into post, destroyed neighbouring Khassadar post and smashed water pumps on which post depends for water supply. On the morning of 7th July, Kundalais lashkar from Maidan and Baddar entered Marobi village on main Razmak-Sararogha road, attacked Khassadar post at Shamak Raghza and destroyed road bridge above Marobi. The lashkar then joined forces with Gulin at Sararogha. On the evening of 7th July, strong party under Sadde Khan and others was detached from Sararogha and moved down road, objective apparently being Kothai and Ahani Scout posts and Khassadar posts south of Sararogha. On the 8th July, main lashkar was still in position round Sararogha. In late evening they again concerted attack on Scout post and gun belonging to Sadde Khan was brought into action. Gun was put out of action by Machine gun fire from post, and the lashkar withdrew to a distance, but kept up long range sniping. The lashkar's attack on Scout posts was repulsed, but it then retired towards Piazha, captured and destroyed certain Khassadar posts. On the advent of Razmak column on the 10th July, lashkar withdrew towards Maidan. The Khassadars were loyal, and friendly sections co-operated with Scouts. Continuous air action had been maintained against the lashkars and areas which supplied them, and this rendered the situation in Waziristan much easier. Complete jirgah of Shabi Khel had come into Razmak and given security in rifles for good behaviour. Similarly Mulla Gulin was quiet. Hostile sections still active were being visited by air action. Towards the end of July other tribal jirgahs except Nazar Khel came in with a view to settlement, depositing rifles as security. The Razmak brigade advanced to Laddha on 23rd July, encountering little opposition, and had produced good effect in hastening submission of hostile sections.

August, 1930.

In August, 1930, settlement with various Mahsud sections had proceeded very satisfactorily. The Nazar Khels had left 20 hostages at Laddha and other sections had deposited substantial instalments of rifles demanded from

them. Individual hostile leaders made terms of settlement and the Bannuchi Mullah was reported to have fled from Waziristan. However, about the middle of August Saifali section of Kabul Khel Wazirs in Birmal had been showing some signs of unrest under the influence of hostile Mullah who recently fled from Bannu district. A lashkar of Kabul Khels Wazirs had collected in Shawal with avowed intention of attacking British posts at Wana or Datta Khel, and warnings were issued out.

September, 1930 The Waziri lashkar, however, dispersed early in September without taking any overt action.

106. THE PRESENT WAZIRISTAN CAMPAIGN, 1937

The present position in Waziristan has developed most unexpectedly from one or two incidents which have been distorted to mean that "Islam is in danger."

Last year, the Sikhs won a case at Lahore about the Gurdwara Shahidganj, which has been in their effective possession for a century or two, though at one time it was a Moslem mosque. This year, a Hindu girl from Bannu aged less than 16 years, who had been abducted by a Muslim, and forcibly converted to Islam, was under civil law proceedings restored to her natural guardians under an order of the highest judicial court in the Province. The brief facts connected with the case are that as soon as the girl was abducted, her mother and relatives reported the occurrence to the authorities at Bannu in due course of law. It was learnt that the girl was about to be removed to a certain place, and the police made an arrest of the girl and her abductor in the ordinary course. On this the Pathans from the villages gathered at the Bungalow of the Deputy Commissioner and four days later, border tribesmen began to interfere, by gathering in thousands at Miranshah, the headquarters of the Political Agent. They demanded that the girl was converted to Islam, and she should be made over to her Muslim abductors. The Mullahs, with their usual fanatical trend of mind, have turned it into a *casus belli* against the British Government, and especially against the innocent Hindu residents of the North-West Frontier Province. This was intolerable, and His Excellency the Governor, Sir George Cunningham, soon after assuming charge, flew over to Bannu, and by means of a Press *Communique*, explained the true position about both these cases: and told the Muslim fanatics across the border that Islam was cer-

tainly not in danger under British rule which extended over so many millions of Muslim subjects in India, and elsewhere. The hostilities started by Mullah of Ipi not ceasing, "an air blockade was declared by the Government, and planes floated in the air dropping their dangerous cargo."

As the *Tribune* observed,

"According to Sir A. Metcalfe, the Foreign Secretary, the faqir (of Ipi) demands three things, as the price of peace. *Firstly,* he wants the restoration of the Hindu girl to the abductor; *secondly,* there must be a restoration of Sahidganj mosque and *thirdly,* the Government must give an undertaking that they would never interfere with Islam. The first two demands, as Sir A. Metcalfe pointed out, were impossible of compliance as that would be flouting the rulings of law-courts. As regards the third demand the Resident in Waziristan broadcasted a statement to the effect that the Government never had entertained any but friendly feelings towards Islam. The Mullah mistook these assurances for weakness, and intensified his campaign. This has led to the Government taking military and aerial action".

The London *Times* seems to think that the Frontier policy requires a revision observing that the Government of India is directly responsible for the good behaviour of the inhabitants of this side of the Durand line which is accepted Frontier between India and Afghanistan. The meeting of the Hindus and Sikhs held recently at Bannu, under the auspices of the Hindu and Sikh Sabhas, passed a Resolution in these terms:

"This meeting requests the Government of N.-W.F. Province to appoint an Enquiry Committee consisting of officials and non-officials to go into the causes of the present unrest and lawlessness to devise effective measures against the trans-border people and peoples in the British territory in the face of Khassadar and levies upon whose upkeep the Government is spending enormous amount of money and with the connivance of the heads of the various villages through which the dacoits pass". "The meeting requested the Government and the district authorities to make better arrangemnets for the protection and safety of the two main towns in the district, *viz.,* Bannu and Lakhi to safeguard any sudden raid to allay the fears of the public. Suitable measures may be adopted for the protection of the vlilages."

The question of a free distribution of arms for the defence of villagers, and of liberal grant of licenses, is the subject-matter of another resolution. Already over one thousand rifles have been distributed and the advisability of a further distribution of rifles and the grant of licenses must depend upon the gravity of the situation as it develops. The whole system of British policy towards their border

tribesmen must no doubt come under review, if in spite of giving fat allowances to border tribesmen, and making provision for their livelihood by road-constructions, and engagements as Khassadars, the border tribesmen were to pounce down upon innocent subjects of His Majesty's Government upon any pretext or occasion of a religious excitement brought about by the perversity or mischief-making of their own Mullahs, and spiritual preceptors. The Government has to solve this problem in public interests. Some natural sympathy has been shown with the trans-border marauders, by their co-religionists in N.-W. Frontier Province, and the General Secretary of the Indian National Congress has gone out of his way, in his desire to bring Muslims in North-West Frontier into the Congress-fold to issue an appeal to celebrate on May 28, 1937, as 'Frontier Day, by way of condemning the so-called Forward Policy of the Government of India. But it is pointed out by the Executive Committee of the Panjab Provincial Hindu Sabha, Lahore, in a meeting presided over by Dr. Sir Gopal Chand Narang that

"the appeal betrays a lamentable ignorance of the true position on the Frontier, and a callous and heartless disregard of the honour, lives and property of the Hindu and Sikh residents of the N.-W. F. Province and Waziristan".

In the words of their resolution,

"the outrages being committed by the turbulent tribes on the Frontier are not the result of any particular policy of the Government, but are due to the nefarious and fanatical propaganda being carried on by some trans-border fanatics".

The Hindus and Sikhs throughout the Panjab and North-West Frontier Province condemn in unmistakable terms the outrages committed by trans-border raiders, resulting in plunder, arson, murder and the kidnapping of innocent Hindu and Sikh men, women and children, who can by no means be held responsible for any policy of the Government and various representations have been made to the Government "to take more stringent and decisive measures to put a stop to the invasions of Indian territories by Frontier marauders and to put an end to the outrages committed by them against peaceful and innocent British subjects in the Frontier": also "to take adequate measures for the relief of those who have suffered at the hands of the raiders and for the restoration of the abducted persons." It may be open to question whether a Forward Policy is practicable or sound,

in various military, financial and political considerations; but public meetings held in North-West Frontier Province, under the auspices of the Hindu and Sikh Sabhas have given expression to the view that

"they support the Forward Policy of the Government of India and urge upon the Government to adopt measures of retaliation with the Frontier tribes and treat them in the same manner that they are treating their kidnapped Hindu and Sikh victims as the civilised mothod of warfare has never proved effective with these people".

What has agitated the entire Hindu and Sikh population of the Province is the kidnapping of innocent Hindu girls, the commission of murderous dacoities directed against undefended Hindu in border villages, and they demand suitable measures of safety and protection from the Government, against the marauding raids committed by the wild Waziris, which have obliged many families to leave their hearth and homes on account of the condition of lawlessness prevailing on Waziristan border. It is understood that the Hindus and Sikhs of North-West Frontier Province are anxious that a free distribution of arms for the defence of villages and a liberal grant of licenses may be made in the discharge of the elementary duty of good administration on the border. They do not place implicit reliance on *khassadars* and the constabulary for any effective protection.

The Government Policy in this connection has been criticised in various quarters, and in none more severely than by the leaders of Congress opinion in India. Pandit Jawahirlal apparently believes in the sincerity of Faqir of Ipi's complaint that the trans-border people are the victims of an aggressive policy of the British Government in the interests of British Imperialism, but that freedom-loving people across the border can be trusted to live on terms of peace and amity with an Independent India. "They must trust us and we must trust them." "So as to prevent anything undesirable or untoward happening." He declared that the Congress can solve this problem, through the local influence of Khan Abdul Ghaffar Khan on both sides of the border. The experiment merits a reasonable trial.

CHAPTER VI.

THE FRONTIER ENQUIRY COMMITTEE. INTERNAL ADMINISTRATION OF THE DISTRICTS

107. THE RESULTS OF SEPARATION

In 1922, a Frontier Enquiry Committee, under Hon'ble Sir Dennys Bray, the Foreign Secretary, consisting of 3 Europeans, 3 Mohammedans and 2 Hindu members, toured through North-West Frontier Province to report on a number of questions connected with the administration of North-West Frontier Province under the scheme of separation inaugurated in 1901 by Lord Curzon. The following points are gathered from the report:

Lower System of Administration.

"When the N.-W. F. Province was first separated from the Panjab, a Legislative Council which had been created for the Panjab in May 1897, had jurisdiction over the British districts of the North-West Frontier until by the constitution of the latter as a separate administration in 1901, its jurisdiction was withdrawn." (*a*)

"The reforms either under the Morley-Minto Scheme of 1908, or the Montagu-Chelmsford Scheme of 1919 which would have automatically applied to these districts if they had not been separated, did not apply". (*b*).

"The five settled districts of N.-W. Frontier Province were further deprived of the benefit of the general progress of administration in the Panjab as marked in the development of Central Co-operative Societies, and the formation of primary Agricultural Societies; also of the growth of Cattle Insurance Societies." (*c*)

"It cannot be denied that these districts had, by their separation, been deprived of the benefits of the laws and regulations and of the various institutions of a progressive civil Government, and that they had been *thrown back* from the stage they had already reached by the time of their separation". (*d*)

(*a*) Gazetteer of N.-W. F. Province, p. 59: and Report of the N.-W. F. P. Enquiry Committee, p. 35.

(*b*) Report of the N.-W. F. P. Enquiry Committee, p. 35.

(*c*) & (*d*) Report of the N.-W. F. P. Enquiry Committee by Ranga Chariar, pp. 35 & 36.

108. INCREASED INSECURITY TO LIFE AND PROPERTY

The theory underlying the practical arrangement of placing the settled districts under the same control and authority as the tribal areas, as stated by Sir Henry Brackenbury was "(1) to prevent the border tribes raiding in times of peace; (2) to have them on one side in times of war."

In practice "the policy of trying to induce the tribes by personal influence, persuasion, threats, and bribes to police the border for us" was proved unavailing: and the Chief Commissioner regretted the issuing of orders withdrawing the privileges of arming the border villages in British territory

"seeing that it had left British subjects exposed like sheep to wolves, and that the situation was becoming very difficult with heavily armed tribesmen, defenceless villages, and untrained military police and militia in the place of an active well-armed Frontier force." (*a*)

109. AGITATION FOR RE-AMALGAMATION IN 1911-1912

In 1911-1912, the residents of the Dera Ismail Khan and Hazara repeated a request, which they had made at the time of the separation itself, to keep their districts "peaceful and settled districts" at least as part of the Panjab, (*b*) but to no effect. The separation of these settled districts from the Panjab was undoubtedly unpopular, as it had not proved advantageous, and was a step which had thrown back the districts some fifty years. In 1915-1916, the Chief Commissioner had remarked

"citing the history of Dera Ismail Khan as one long tale of rapine and outrage that in Northern half the people were endeavouring in despair to sell their property and leave the country." (*c*)

He further remarked that

"the insecurity of life, property and honour in the districts bordering on Waziristan made it difficult to understand why the people had not moved *en masse* across the Indus, and he referred to the super-human but fruitless efforts made by the Government." (*d*)

It was known to the authorities that "the tribal lawlessness was rampant," and the residents of the settled districts especially the

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(*a*). Report of the N.-W.F.P. Enquiry Committee, by Ranga Chariar, p. 36.

(*b*) Ibid, p. 37.

(*c*) & (*d*) Ibid, p. 37.

Hindus in outlying border villages were being "persistently harassed" since many years. But official inaction was justified on the ground that the Government was unwilling to consider the adoption of a Forward Policy. However, in view of the increased crime and the great insecurity of life in North-West Frontier Province, it is no wonder that the most influential leaders of Hindu public opinion were putting up demonstrations asking for re-amalgamation with the Panjab.

110. GROWTH OF CRIME

There was rapid growth of serious crime, and of murders, and raids as revealed by police figures from 1901 onward and the people from villages began to migrate to towns for safety; but the cases of incursions into Bannu city, and of dacoities in the heart of Peshawar city, by gangs of raiders successfully looting rich Hindus, showed that not much security was enjoyed even by towns in the first decade after the separation of the Province from the Panjab.

111. UNCERTAIN ATTITUDE OF THE TRIBES

The attitude of tribesmen in their relation to the settled districts showed no improvement after the inauguration of the scheme for a separate administration in direct contact with the political agencies connected with different tribal territories. The situation grew worse in 1911 and 1912, when criminal administration reports recorded "a regrettable feature of the situation that crime of the more virulent type has shown a progressive tendency to expand," and "the most disquieting feature of the years was the alarming increase in violent crime." This was due to better facilities in procuring arms on the border, and to the judicial machinery not being fully adapted to the conditions of the Province, helped no doubt by the wrong system of recruitment to judicial appointments guided by political considerations. Whether it was due to world causes, the Great War, the Khilafat, or non-co-operation agitation in India, or to the inherent defects in the system of tribal militias and allowances introduced by Lord Curzon, the outstanding fact was that the tribes were throughout a great danger after 1900, both inside as well as outside the districts, admittedly "the Chief Commissioner's charge was becoming more and more difficult." We have noticed earlier that the trans-border neighbours had begun to give trouble soon after the Great War of 1914. When the news went forth that the

best troops had left India for France, there were only two divisions of first-class troops plus the Frontier Brigades to hold "the potential tribal foes." The tidings that the Khalifa had joined Britain's enemy and had proclaimed a war of religion created enthusiasm in tribesmen, and the first trouble came from the southern Province of Afghanistan, from the unruly Khostwal tribe. The Mohmands, immediately to the north of Peshawar then became active, and under the influence of the Haji of Turangzai a cry of "Islam in danger" was raised in Swat and Buner. In 1915, the Black Mountain Pathans began to give trouble, and unrest was also in evidence in tribal Baluchistan. These were followed by Mohmands recommencing their raids in 1916, and the Mahsuds were up in the Frontier wars of 1916, 1917 in which the Dera Ismail Khan district, especially the Hindus were the greatest sufferers. There were demonstrations by Mahsuds against the Fort of Sarwakai in March, 1917, which led to the formation of Waziristan field force in that year. The efforts of the Turks in Tirah, and their Afghan supporters were defeated in 1918, due to friendly action taken by the Amir of Afghanistan. But, in 1919, there was the first real test of the system of Frontier administration under the wave of religious fanaticism which then flooded the border.

112. SYSTEM OF JOINT ADMINISTRATION OF DISTRICTS AND TRACTS

The important feature of the separation of N.-W. Frontier Province from the Panjab was the introduction of a system of joint administration of settled districts, and the tribal tracts by the Government of India. It was recognised that the Frontier districts were "obviously the proper concern of a local Government" but "the adjoining districts were no less obviously the proper concern of the Central Government." When the Panjab was annexed, the Panjab Government administered both the districts and the tracts, but

"throughout the latter half of the last century the Government of India, chafing increasingly at the interposition of the Panjab Government between themselves and the conduct of political business on this vital section of India Land Frontier, strove to devise some means of getting the political control of the tribes directly into their hands". (*a*)

It is said that

(*a*) Bray Committee's Report, p. 4.

"the Panjab Government, with its Commissioner at Peshawar, pursued in normal times its own ways and policy on the N.-W. Frontier without reference to the Government of India at all; while its attitude to that administration, when an abnormal crisis arose on the Frontier, and the supreme Government stepped in, was one of rather lofty criticism."

Lord Curzon would have no more of it. The problem was pressing, and the difficulty felt in its solution was the inseparability of the tracts and the districts, which was urged by the Panjab Government as an argument for "the necessity of entrusting the control of both to the same Local officer," and which was the basis of expert opinion that both parts must remain in the hands of Government of India as "one centralizing and controlling authority on the Frontier itself."

113. THE DOCTRINE OF INSEPARABILITY OF DISTRICTS AND TRACTS

The doctrine of inseparability of tracts and districts derives considerable support from the statement of Sir MacWorth Young, who was "the protagonist of the Panjab against its dismemberment" and, this was sought to be supported by the explanatory statement of Commissioner Merck, who had pointed out

"that the daily business of the Frontier arising in consequence of the close connection between the people on either side of the border was quite distinct from Imperial questions in which British and independent interests are arrayed against each other.

The Bray Committee took the view, on the basis of opinion of high officers, Viceroys and Chief Commissioners, and well-informed non-officials that

"the more intimate a witness's knowledge of the problem, and the closer his every day association with the actual broder, the nearer his approximation to the reasoned conclusion of the expert that the separation of districts and tracts is impracticable".

The theory being established that the districts and tracts are inseparable, and the Government of India being deeply anxious to assume direct control over the latter, the dismemberment of the Panjab was the only logical solution, and Lord Curzon's admirers call it "a stroke of genius," and "a characteristically far-sighted act of statesmanship" which evolved the plan of forming a North-West Frontier Province out of the Panjab territories beyond the Indus. The Frontier Enquiry Committee confirmed the conclusion reached by Lord Curzon in 1901 by its finding arrived in 1922, that districts and tracts

being inseparable, should both come under direct charge of the Central Government, through the Chief Commissioner and the Agent to the Governor-General, for North-West Frontier Province.

114. RE-AMALGAMATION SCHEME

The re-amalgamation of the districts with the Panjab was advocated for four main reasons, as pointed out in the Report of the North-West Frontier Province Enquiry Committee—(*a*) the separate Frontier Province was an experiment that had proved a failure, (*b*) its continuance would constitute a political danger, (*c*) it involved a financial drain on India; and (*d*) the defects in the administration of the district were so grave that they could not be remedied except by re-amalgamation with the Panjab.

115. EXTERNAL RELATIONS OF N.-W. F. PROVINCE AFTER SEPARATION

The opposite view held that the Frontier Province had been separated for the better safeguarding of All-India interests on the Frontier: and

"that during the first thirteen years of its existence, there were three expeditions only a short expedition to bring the Mahsud blockade instituted under the Panjab regime to a close; a 'week-end war' in the Afridi country in 1908; a sharp and salutary expedition against the Mohmands a month later."

It was claimed that a general rising during the Great War was prevented by the firm administration of the Frontier authorities, in co-operation with the friendly Amir Habibullah Khan, and helped by the Stalwart Frontier population which remained loyal. It is conceded that though India was kept shielded from imminent perils arising from the Great War, during the time of Amir Habibullah Khan, there was an unprovoked aggression on India, during King Amanullah's time, which unsettled two great blocks of the Frontier, the Afridi country, and the Waziristan. The Afridi question was satisfactorily settled, without a punitive expedition, but the Mahsuds and Waziris have been giving constant trouble as the aftermath of the Afghan War, and the Mahsuds and Waziris military operations on a large scale have had to be undertaken.

116. THE INCREASE OF SERIOUS TRANS-BORDER CRIME

The increase of crime, and especially trans-Frontier crime of a serious nature is patent from the subjoined figures taken from the report of North-West Frontier Province Enquiry Committee.

NUMBER OF RAIDS IN N.-W. FRONTIER PROVINCE.

Year.	Raids No.	Murders.	Serious Crime.
1906-1907 ..	41	160	2,456
1907-1908 ..	56	192	2,520
1908-1909 ..	99	175	2,825
1909-1910 ..	159	255	3,101
1910-1911 ..	114	272	3,316
1911-1912 ..	71	322	3,827
1912-1913 ..	77	316	3,663
1913-1914 ..	93	394	3,998
1914-1915 ..	165	416	3,561
1915-1916 ..	345	400	3,638
1916-1917 ..	292	353	3,777
1917-1918 ..	223	474	5,094
1918-1919 ..	189	644	5,469

KIDNAPPINGS.

	Raids No.	Musalmans.	Loss of Property.	Hindus.	Loss of Property.
1919-1920 ..	611	107	3,32,315	18	7,38,426
1920-1921 ..	391	32	1,00,221	4	49,148
1921-1922 ..	194	19	1,26,530	9	16,431

To these may be supplemented some figures of serious offences against the person (murder, homicide, grievous hurt, etc.), which have shown an upward tendency in later years. This steady increase or upward tendency in serious crime was the basis of certain proposals for revision and increase of police, by an official committee consisting of Mr. Latimer, C.S.I., C.I.E., Revenue Commissioner and Sir David Petrie. The prevalent idea is that the Hindus were the Chief sufferers in these waves of crime, after the Great War of 1914 and the Afghan War of 1919, though in some cases both the Hindus and the Muslims in North-West Frontier Province "were victimised alike" by the border raiders, "though for obvious reasons the Muslims suffered more in loss of life and the Hindus more in loss of property."

117. THE EXTERNAL CAUSES

The causes leading to a sharp rise in serious crime are traceable; *firstly*, to the gulf arms-traffic which had penetrated to the trans-Frontier in 1908-1910; *secondly*, to the Great War, 1914; and *thirdly*,

to the Afghan War, 1919. The drop after 1919 is sharp and progressive indicating resumed control of the situation.

118. THE INTERNAL CAUSES

The increase in crime as disclosed in the statistics is due to the following causes, as pointed out in the Minority Report of the North-West Frontier Province Enquiry Committee:—

"(1) Laxity of proper supervision by the police;

"(2) Inefficient investigation of offences, large offences being untraced;

"(3) Frequent transfers of officers;

"(4) Too frequent references to the *Jirgah* encouraging a habit of careless investigation:

"(5) Want of proper Judicial training for the Magistracy;

"(6) Weakness and invertebracy of the Magistracy and their want of moral fibre;

"(7) The policy of repatriation of outlaws on account of political considerations.

119. REMEDIES FOR PREVENTION OF CRIME

The serious rise in violent crime due to causes external and internal, has called forth the recommendations of a policy of placing the border villages "in a position to defend themselves against trans-Frontier raids": and statistics show that

"the Frontier districts are now much better armed than in the days of the Panjab". (*a*)

The tribes across the border are very well armed, and there are no restrictions against the manufacture and the import of arms. To restore old equilibrium, "THE CIS-FRONTIER MUST BE PROVIDED WITH ADEQUATE POWERS OF RESISTANCE."

"In the exposed towns of Kohat and Bannu and in the rural areas generally licenses to carry arms should be given freely".

In the rural areas specially exposed to raids, registration of rifles is all that should be demanded. Wherever the local supply of arms in the border villages is manifestly inadequate, arms should be issued by Government, "preferably on the responsibility of the Khans or other tribal leaders." Further,

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(*a*) Seq. of Report of N.-W. F. Province Enquiry Committee, Vol. III., Appdx. 20, p. 47.

"every effort should be made to re-invigorate the old responsibility of the Khans, and border villages to keep watch and ward on the Frontier marches."

It is urged

"that in outlying tracts, some of the duties now imposed on the constabulary and the police should be entrusted to village levies organised under the Khans, and that on them should be placed more and more the responsibility for which they receive remissions of land-revenue and which they are best able to fulfil".

It may also be suggested that

"the activities of the trans-border raider would be appreciably curbed by reverting to the old system of maintaining for specialised Frontier service a number of regiments recruited from races adapted to hill fighting, continuously trained on the Frontier, and thus familiar with the terrain and ways of the Pathan". (a)

120. POLITICAL DANGER IN THE WEST

The obvious view of the separation of North-West Frontier Province, from the Panjab, was that the management of the external affairs, with Afghanistan, and the trans-border tribes, could not be entrusted to an autonomous Local Government without violating all constitutional theory and practice. This must be the immediate and direct concern of the Central Government in India. It was argued that the two propositions being established *firstly*, the inseparability of districts and tracts; *secondly*, the necessity for the direct control of the tracts by the Government of India, the logical conclusion was that the retransfer of the districts to the Panjab was impossible. Added to it is "the unwillingness of the bulk of the North-West Frontier population to merge itself in the Panjab" and "the unwillingness of the Panjab to receive it back." But, the opponents of the separation scheme of Lord Curzon, maintain herein lies a grave political danger of the first magnitude, which has been lightly taken notice of, and has been practically ignored for reasons of the Government supporting the policy of having some predominating Muslim Provinces on the Frontier, as a counter-balance to Hindu Provinces in the centre. However, under altered conditions of this Province, it is becoming more and more nationalistic in outlook, and with the advent of the Congress Ministry in North-West Frontier Province,

Muslim Province on the Frontier.

(a) Reports of N.-W. P. Enquiry Committee, p. 16.

the force of the argument is very much lessened that grave danger arises from

"the very continuance of the Frontier Province overwhelmingly Muslim in population and linked to the trans-Frontier by many and manifest affinities" or that "The Pathan considers himself more to belong to the hills than to India, having more sympathy with his kith and kin in the trans-border than with the rest of India." (*a*)

Without shutting one's eyes to the menacing possibilities of the situation arising from a sentimental inclination to Afghanistan or to trans-border tribes one can confidently say that the territories controlled by political agencies in the tracts, and in touch with a sympathetic administration of the districts need not always be as dangerous enemies as ever, and it may be within the range of practical politics to have such happy relations with them as to avoid the observance of a rigid close border policy, or a thorough-going Forward Policy of subjugation and occupation in the interests of peace and good Government in North-West Frontier Province and in the rest of India under the British Constitution.

As against this, it is pointed out that the policy of "letting the tribal hills be," is not a wise and sound policy at the present moment. It is manifest from the past history of nearly ninety years under British rule, that the border-tribesmen have shown no wish to remain on peaceful relations as good neighbours. They must stick to their old wild and savage practices and the highly civilised British Indian Government, conscious of the Imperial duty of the Crown to protect its subjects, cannot bear the raids and dacoities and kidnappings as of old, being directed against the innocent tax-paying community of N.-W. F. Province, in the middle of 20th century. With railway advance, and the motor traffic roads and other military facilities, a different complexion is now put upon the problem, and time is ripe for a change of policy and the permanent solution of the border-question.

121. THE FORWARD POLICY

The advocates of Forward Policy by occupation and administration are reminded by Sir Dennys Bray's Committee that

"the occupation of the whole of the independent territory, even if advisable, would require years of military operations and involve expenditure that we cannot dream of in the present state of India's finances." (*b*)

(*a*) Enquiry Committee Report, p. 53.

(*b*) Report of N.-W. F. P. Enquiry Committee, pp. 6 &7.

To the same effect is the observation by General Sir George MacMunn, that

"we have to remember that an attempt to take over hills across the administered border, disarm the tribes and occupy the area would have meant prolonged bloodshed and ill-will".

Trans-Frontier As Inseparable Unit.

To this is added the argument that the whole Pathan trans-Frontier is inseparable unit, and the rising of 1897, is put forward in support of the observation that

"Mahsud links up with Wazir; Wazir with Zainusht; Zainusht with Orakzai; Orakzai with Afridi; Afridi with Mohmand; Mohmand with the tribes of Bajaur; Bajaur with Dir; Dir with Swat; Swat with Buner; Buner with the Indus valley; and the Indus valley with the Black mountain."

The Government Circular of 24th August, 1921.

However, it is to be noticed that in 1907, SIR HAROLD DEANE, the Chief Commissioner, "advocated a Forward Policy on the ground that the attempts to maintain peaceful relations with the Mahsuds had resulted in inordinate expense, and a widespread conspiracy to terrorise Government by assassination". And Mr. Barton, (now SIR WILLIAM BARTON), always maintained that "any sort of moral or material progress was next to impossible without a Forward Policy". The Chief Commissioner, in dealing with the memorial presented by the Hindu community of Bannu, referred to the

"appalling injuries suffered by our citizens, the dishonour of women, the upheaval in family life, the grief and anxiety in the home, the natural resentment at the impatience of Government in protecting its tax-paying subjects".

and further remarked,

"indeed the only creditable feature of the business is the marvellous patience shown by those whom it is our duty to protect more startly".

He laments

"the loss of the old grip and decay of virility in dealing with cases of this kind. Executive energy seems to have rusted in the sheath and a woolly and belated political settlement with the tribe concerned is too often accepted as an adequate solution of the wrong inflicted".

Those who strongly condemn the "Frontier Forward Policy" of the British Government, and demand that the large amount of expenditure in connection with preparation and maintenance of military on the Frontier be stopped, must remember that the Government of India or of N.-W. F. Province, is not committed to

any such definite policy of occupation and administration of trans-border tracts, in fact, it is opposed to any such policy so long as the trans-border tribes adopt the attitude of reasonable neighbours, and do not behave as aggressive intruders, or potential invaders. It is their own peculiarly anti-Hindu, and anti-British conduct, under spur of Moslem fanaticism, that makes the Frontier and the whole of India always bear the burden of military expenditure, which every one would feel happy to see reduced.

122. THE DOCTRINE OF SELF-DETERMINATION

The Forward Policy advocated by some officials, with a view to have peaceful condition on the border, is met by the consideration of extreme difficulty of overcoming the Pathans across the border, who are in close kinship with the overwhelming strength of Muslim population in the N.-W. Frontier Province. British statesmen, who are not well pleased with Hindu agitation for Dominion Status, or complete Independence, sponsored by the Indian National Congress and who want to divide Political India into communal divisions, one Province or set of Provinces matched against another, in an endeavour to perpetuate British rule in India, have started the theory of self-development for different Provinces, and the Mussalmans of N.-W. F. Province, who were not in favour of the re-amalgamation scheme, were guided chiefly by the idea that a separated Muslim Province like N.-W. F. Province will have everything according to the wishes of the Mohammedan overwhelmingly majority community. The Bray Committee expresses

"a robust faith in India's power of giving scope for the self-development of the Pathan as of her other people within her all-embracing nationality".

And "in the face of the record of the Frontier Province, tried in the supreme tests" of the Great War and the Afghan War. It was emphatically held that

"if self-determination is to be allowed any play at all in India it should surely be allowed to the Pathan race whom Providence has interposed between India and foreign aggression".

123. THE GRANT OF LIBERAL INSTITUTIONS

Based upon the theory of self-determination for the settled districts in N.-W. F. Province and the inseparability of the border tribal area for administrative purposes, it is contemplated to organise

a strong Pathan Frontier Province as a buffer Province between the Panjab and Afghanistan. It is argued that

"if liberal institutions are now granted to the Frontier districts and the foundations of a Frontier Province are well and truly laid, it is not wholly visionary to hope that with the gradual march of civilization into the tribal tracts these two will eventually join the kindred of the districts in forming a strong and contented community at the danger-point of India's frontiers, a barrier against all possible enemies from the west".

This is very hopeful indeed, and perhaps a very wise remedy to avert political danger, but the Hindu members—the minority of the N.-W. F. Province Enquiry Committee, plainly thought quite differently.

124. DEFECTS IN FRONTIER ADMINISTRATION

To achieve the high object, or a "not wholly visionary hope" of one day "forming a strong and contented (Pathan) community at the danger point of India's frontiers, as a barrier against all possible enemies from the west," the Province has been separated from the Panjab, and its re-amalgamation has been negatived. But, this policy cannot make one forget the grave defects in Frontier administration, introduced by the scheme of separation, and an endeavour is to be made to remedy these defects in some other way, if the re-amalgamation with the Panjab is not the *panacea* for these ills.

125. THE SUBORDINATION OF INTERNAL ADMINISTRATION BY THE POLITICAL SERVICE

The Chief Commissioner, and all his responsible officers of the Political service were anticipated "to subordinate the rights of the inhabitants of the directly administered districts to considerations of policy as regards the tribes of Afghanistan", which was "*to depend upon keeping the tribesmen in good temper*"; and there cannot be the least doubt that the internal administration of the settled districts has suffered since the separation: further, it is very doubtful if the aim and object of the creation of the N.-W. F. Province directly under control of the Government of India, which is to bring the entire Pathan population of the tribal territories, "gradually with the march of civilization", to enjoy the blessings of the British Raj with co-religionists in the settled districts has achieved much success without any settled Forward Policy.

126. LARGE INCREASE OF EXPENDITURE OVER INCOME

Under the new arrangements, the Chief Commissioner was placed in sole executive charge of both the districts, and the tracts, and there was deterioration noticed by his assumption of the powers of the chief controlling and final appellate revenue authority of the Revenue Commissioner, and the expenditure was far in excess of the income from the year 1901 onwards, as the N.-W. Frontier administration had very little incentive for economy: and further, for this small, miniature Province, the Government was wanting all the institutions of a good administration in bigger Provinces. A training College, housed in a very costly building, with an annual expenditure of Rs. 35,000 was set up in 1916 for less than half-a-dozen pupils. The Irrigation Department caused a net loss of 4 to 6 lacs every year, merely because the Province would have the Chief Commissioner master in his own house, and was ambitious to have a department of its own rather than have it managed for this Province by the Panjab Government. These districts have no doubt shown great advance educationally since separation from the Panjab but just because it has been maintaining two Arts Colleges for educating a small number of students. This Province has got 23 Departments of a first-class Province, and is running most of them at a very considerable loss, in spite of the make-shift arrangement by making one officer control several different departments at below the requisite level of efficiency. The method of recruitment to judicial appointments was faulty, inasmuch as merit and efficiency had to give way to political consideration, or a consideration of Moslem interests in a Province where the Pathan element predominates. The Chief Commissioner being the final authority on internal administration, and responsible to nobody else, his work escaped the notice of the foreign and political department, which might be exercising some supervision so far as political matters went. The internal administration suffered for lack of responsible review, and also because the field for recruitment to Provincial services was too limited, and there was excessive preponderance of the local element, and therefore of one community,

"whereas at the time of the separation there was a very fair representation of officers from different communities, such as the Anglo-Indian, the Panjab Mohammedan, the Hindu, the Sikh and the Christian".(a)

(a). Report of Enquiry Commission, pp. 46-49.

127. REMEDY FOR THREATENED STAGNATION IN THE SERVICES

The danger of stagnation in the service cadres of the various departments in a small Province, is not denied, but the down-grading in different branches of internal administration has been met with by obtaining officers on deputation from the larger Province of the Panjab for the present cadre of the settled districts, or by arranging exchanges in the Provincial or Police services, which would " broaden the scope and outlook of the services ".

128. THE FINANCIAL DRAIN

In the scheme drawn up in 1901 for the administration of the Province, the revenue was estimated at 36 lakhs, and the expenditure amounted to 74 lakhs. " It thus started with a deficit of 38 lakhs ". The revenue in 1921-1922 was 60 lakhs, but the actual expenditure was about 2 crores, and the deficit was Rs. 140 lakhs. The loss on upper Swat Canal alone amounted to Rs. 5 lakhs per year. However, " the Province must always remain an imperial charge ", and the deficits are arranged to be paid out of a subvention grant by the Central Government, in view of

" the principal rise in expenditure, having been incurred for the protection of India's land Frontier. Measures are being taken to reduce the deficit, and to make the internal administration of the districts as far as possible self-supporting ".

Educational Amalgamation With Panjab Condemned.

Further, economy might be secured by the amalgamation of some at any rate of the technical departments with the Panjab, though this principle could not be extended to education department. The Province is proud of its Islamia College, " instituted primarily for the benefit of the Pathans ", but " catholic in character " and " fully representing all trans-Frontier tribes ". Helped by private subscriptions, and Government support, it is a weapon of civilization with which to subdue " the turbulent trans-Frontier ": and its benefit will not be confined to settled districts alone; but is calculated to

Islamia College.

" penetrate slowly no doubt, but none the less surely beyond the districts into the tracts, and beyond the tracts still further a field ".

Herein lies then the justification for somewhat extravagant expenditure on the education of Pathan boys in this famous institution, now sought to be made into " the Khyber University ".

As regards other departments, "the Frontier requires a special organisation in its police, since its needs are special, and the work is special". But economy has been introduced "by placing the district police and Frontier constabulary under the administration of one and the same officer". A similar doubling up of the Secretary for Irrigation, and the Secretary for Public Works was suggested by the Bray Committee. The Chief Medical Officer, in charge of the Public Health department, is also given the department of Jails, with a view to effect economy. As against this view taken by the majority of the Bray Committee, the minority report points out that a saving of over Rs. 5 lakhs a year can be effected if the five settled districts were amalgamated with the Panjab.

Economy in the Working of Certain Departments.

129. OBJECTIONS TO SEPARATION SCHEME

The recommendations of the Majority of the Bray Committee of Enquiry were opposed by the Hindu members, chiefly on the grounds, that they were

"(*a*) politically unwise; "(*b*) constitutionally extravagant, incongruous, and anomalous; "(*c*) financially objectionable as involving an increasing burden on the resources of the Central Government; and, "(*d*) administratively, as also for the purpose of real and effective political control of the trans-border tribes, unsuited, and insufficient to meet the imperative necessities of the case".

An autonomous Pathan Province may be allowed to develop not "from the point of view of all-India interests, external and internal", but avowedly on the theory of "the Pathan self-determination for self-development in a separate Province." It is conceded by the highest officers that the whole border, both Cis- and trans-Frontier is one inseparable unit, because the people living on each side of the border are of the same ethnic type—the Pathan, and in the words of Sir John Moffey, the Chief Commissioner, "should be regarded as one, for reasons of community of race, religion, customs and sentiments of its inhabitants." The Province is officially likened to a "*powder magazine,*" *where* "*the conditions are very electric.*" We are said to be "face to face with serious dangers," because "sudden crises are far more apt to arise now than they were 20 years ago."

130. PAN-ISLAMIC IDEA

As put by Mr. Samaratth, in his minority report on the Enquiry Committee

"with politics and religion intermingled is the Pan-Islamic idea of an Islamic League of Nations, which is presumably entertained by many Pathans of the Province—with the easily corruptible material of the trans-border tribes of whose susceptibility to outside intrigues and religious fanaticism, we had so much evidence adduced before us".

General Sir George McMunn, C.B., K.C.S.I., D.S.O., writes in "Turmoil and Tragedy in India," as follows :

"It must be remembered that when we are confronted in India with Islamic excitement on religious questions, the N.-W. Frontier, whence can pour 2,00,000 (2 lakhs) well-armed savage tribesmen into India, is always an anxiety".

He adds

"Pan-Islamic enthusiasms so often mean the beating of the drum ecclesiastic on the Frontier, with the devil to pay all round in consequence. Also, in the more fanatical centres of India itself, there is always and answering that to any role of Muslim drum".

The absence of any grave situation created in the Great War was due to the Amir's reiterated declaration of neutrality. In the Afghan War of 1919, the Afridis of the Khyber rifles had wavered from the start; and in Waziristan the tribesmen were almost all in open revolt; there was a defection of Mahsuds and Waziris, not due to any particular cause;

"they were merely actuated by the belief, with which the borderland is imbued that every true Mohammedan must rise and fight for Islam, whenever a good opportunity offers for striking a blow at the infidel".

"Even in the settled districts of the Province, the situation during the critical period was far from reassuring when the Khilafat *agitation and Hijrat movement* were at their height. Peshawar was thrown off its balance and the infection spread southwards".

As Mr. Ewart writes in his booklet,

The Hijrat Movement.

"Tens of thousand of the inhabitants of the Province either performed and prepared to perform the Hijrat to Afghanistan in the belief that it was their religious duty.

Hazara Unrest.

"In HAZARA, the unrest spread to the TRANS-BORDER tribes, necessitating military operations to restore order. Throughout the Province and especially in Bannu, this agitation engendered a spirit of lawlessness and defiance of authority manifested itself recently in the city of Peshawar on two occasions, *firstly*, at the time of the Afghan War of 1919, and later on when His Royal Highness the Prince of Wales was at Peshawar".

At Mansehra, in Hazara district, Maulvi Mohammad Ishaq kept a kind of Royal Court, and travelled the whole district in State,

"the Manshera Tehsil practically acknowledged no British rule. The villagers, especially in Dhudial and Shai Kiari, had appointed their own officials such as Tehsildars, and Thanadars. They attempted to carry on the functions of administration and they certainly, on one or two occasions assaulted Government officials who were carrying out their official duties. Based upon these considerations the great political danger existed of the three districts of Peshawar, Kohat and Bannu, effecting a combination with the trans-border people and the people of Afghanistan, if the King of Afghanistan, being free to make an alliance with some central Asian powers adverse to the interests of the people of India. This pessimistic view is very largely countered by the present happy relations of British Government with the ruling House of Kabul, and the foreign treaty relations of British Government with Russian Empire in Asia and Europe.

131. POST-WAR ACTIVITIES IN N.-W. F. PROVINCE

The Khilafat Movement.

It would be recalled that the treaty of Serves, concluded by Britain, with Iraq, which had been imposed by the British Cabinet on the Turkish Sultan had given great dissatisfaction to the Moslem world. The young Turks of Angora, under General Mustapha Kemal Pasha, had rebelled against the treaty, and defeated the Greeks who were leading an armed campaign in Asia Minor. The news was received everywhere in India, with great jubilation at the success of Turkey against Greece, coupled with resentment against the British Premier, Mr. Lloyd George who had sided with Greece and had appealed to the Dominions for help against Turkey. The Indian Moslems, whose co-operation was obtained in the Great War, had been assured by the British Government that

"Asia Minor, and Thrace with Constantinople as the Capital should be left to Turkish Sovereignty after the War".

This war-pledge was not honoured, and Turkey was believed by Indian Moslems to have been defrauded.

132. THE HIJRAT MOVEMENT

This led to a strong religious movement for emigration when restoration of Constantinople and Thrace to Turkish rule was delayed. In North-West Frontier Province the exodus began towards the end of 1922 and beginning of 1923. The caliphate question had really nothing to do with India: and the advocacy of this movement by Mahatma Gandhi was one of the strongest phenomenon in the Indian Politics. The Frontier remained calm and loyal in spite of the Hijrat

movement of creating a certain amount of religious excitement. Later, the Angora Government dethroned the Sultan, and the caliphate became separated from the temporal power. The situation was accepted by the Indian Mussalmans who were not prepared to injure the Kemalist cause by any feelings of friendliness to the deposed Sultan. The religious instigation being gone, the agitation dropped. The sequel of the movement, the emigration of the Panjabi and the Frontier Mussalmans to Kabul, under the doctrine that India had become unfit to live in as *dar ul harab*, proved a sad disaster, which would have had much more tragic results had not the British Government intervened to save the misguided *mahajrin* from suffering the extreme consequences of their religious zeal. The Amir of Kabul disillusioned the *mahajrin* by telling them that no lands could be taken from his Kabul subjects to be made over to the uninvited guests: and extremely disappointed, but wiser after their sad experience, the *mahajrin* returned to their native villages, and the authorities prevailed upon the transferees of their property, of their lands and flocks, to come to amicable reasonable settlements, and restore the same in a sympathetic mood.

133. THE REFORMS SCHEME

It has been noticed earlier in § 107 that one result of the separation of North-West Frontier Province from the Panjab was that the reforms either under the Morley-Minto Scheme of 1908, or the Montagu-Chelmsford Scheme of 1919, which would have automatically applied to these districts if they had not been separated, did not apply after the separation. When this scheme was re-examined in 1922, by the North-West Frontier Enquiry Committee they recommended *"the grant of liberal institutions to the Frontier districts,"* with a view to take out this Province from the backward political condition into which it had been thrown all at once as a result of the policy initiated by Lord Curzon of dealing directly with the trans-border tribes through the Chief Commissioner as Agent to the Governor-General. The Bray Committee reported in favour of the scheme for a separate North-West Frontier Province based upon the doctrine of inseparability of the districts and tracts, and upon the theory of self-determination for the Pathan population on both sides of the border, regarded practically as one Pathan Nation. A "gradual march of civilization," from the districts into the tribal tracts, was hoped to

bring about the much desired formation of "a strong and contented (Pathan) community at the danger-point of India's Frontiers," which would be effective as "a barrier, against all possible enemies from the west." It was recognised that

"there existed a strong and conscious desire for participation in the Reforms which must be satisfied".

But, it was noticed that the viewpoint of the Hindus and the Muslims in the Frontier Province was different.

"Whereas most of the Hindus of the Province, and the Urban Hindus in a body, demand satisfaction of their political aspirations in a larger entity, the majority of the Muslims, and the Pathans almost to a man, will not be content with the fulfilment of their political aspirations save within their own Province".

134. DIVIDED OPINIONS

This cleavage of opinion was not confined to Hindus and Muslims in North-West Frontier Province. In the debates of the Panjab Legislative Council, it was curious to observe that while the Sikh votes were divided, the Hindus of the Panjab voted as a body, against their own class-interests, for re-amalgamation of North-West Frontier Province with the Panjab, to avoid the situation of a perpetual hopeless minority that confronted their brethren in a Frontier Province. The Muslim members of the Panjab Legislative Council, who would have gained immensely in strength by the inclusion of Pathan population of North-West Frontier, in a re-amalgamated Province of the Panjab and North-West Frontier, cast a solid vote against re-amalgamation to enable their co-religionists in North-West Frontier Province to have a dominating position for ever in a Pathan Province. There was difference of opinion on communal lines noticed also in the report of the majority, and the minority of members of the North-West Frontier Province Enquiry Committee presided over by Sir Dennys Bray, the Foreign Secretary to the Government of India. The three European and three Mohammedan members joined in the majority report that a Legislative Council was essential for the newly separated Province, in spite of the fears of the Hindus in North-West Frontier Province that a separate Muslim Frontier Province besides constituting a political danger for the rest of India, was calculated to render the lot of Hindus in the North-West Frontier Province almost unbearable by

reason of their perpetual minority. The majority report endeavoured to show that "their fear of a Muslim Frontier Province is unjustified." And they were convinced that "the safeguarding of the Hindu minority could be adequately secured in the local Reforms Scheme which they advocated."

135. ADVISORY COUNCIL

Under the Government of India Act, as it stood in 1922, an Advisory Council was all that could be given to the Province. This clearly was held insufficient. There was "a general soreness in the Province over its total exclusion from Reforms" at the same time they saw no chance of the Province participating in reforms to the full measure then. It was feared that a Council of the type then contemplated for the Province would be only "a glorified District Board," and this inspired intelligent Muslim opinion in the Province favouring the suggested amalgamation with the Panjab. The majority of the Bray Committee reported as follows:

"The Frontier inhabitants are assuredly not behind the rest of India either in intelligence or capacity to manage their own affairs; their aspirations for reforms have been awakened into full consciousness, and will not be satisfied by anything short of the essentials of the reforms enjoyed elsewhere. Whatever the form of the Council introduced in the Province it must be something live and vigorous. The day for an Advisory Council is past. A Legislative Council is essential".

136. SUGGESTED CONSTITUTION OF THE LEGISLATIVE COUNCIL

The Bray Committee reported that

"economy must clearly be the guiding principle in introducing the scheme of reforms into a Province so little self-supporting".

The Province was so small in population also: A Legislative Council of 30 members with an official President (without extra emoluments), and if necessary an Honorary Deputy President was recommended. They advised an elected majority of at least 60%, attaching importance to the adequate representation of the hereditary Khans, which special representation was called for in the interests of law and order.

Representation of the Hereditary Khans.

It was observed that

"most of the tribes still recognise the authority of their tribal leaders and are tractable and well-behaved under their control".

and they felt further, that

"in view of the hot-headedness of the Patham.....care should be taken in early stages that the introduction of democratic institutions does not suddenly undermine the influence of the tribal leaders, who both by customs and by Government are held responsible for the protection of the Hindus in their areas".

The interests of the non-Muslim minority was considered to be "secured by allotting to them double the number of seats to which their numerical strength would entitle them." The appointment of one "Minister to take charge of all subjects that are transferred subjects in the Panjab" was recommended, with a pay not exceeding Rs. 2,000 a month, with a small establishment of "a clerk or stenographer, and a couple of orderlies." The Revenue Commissioner being already available as Finance Member, one member was held sufficient for the Executive Council. This scheme contemplated entailing further representation of the Province on the Indian Legislature: and two members in the Council of State and four in the Assembly, was suggested as appropriate representation under the circumstances.

Minister In-Charge of Transferred Departments.

Representation in Indian Legislature.

137. LIMITATION NECESSARY FOR FINANCIAL ADJUSTMENT

In view of

"three main difficulties peculiar to the Province, *viz.*, the weakness of its financial position; the close connection between its internal and external politics; the paucity and characteristics of its population",

it was suggested that equilibrium in the Provincial budget should be established by separating the charges incurred on the internal administration proper from the charges incurred in the tribal tracts or on the border defence. The Agency expenditure of every description, including the expenditure incurred in the districts on the Frontier constabulary or other border defence, was to be subject to the control of the Government of India.

138. SAFEGUARDING OF ALL-INDIA INTERESTS

The Bray Committee did not see its way to recommend "full-fledged reforms," for the North-West Frontier Province, or the Chief Commissioner being given the style or status of a Governor. "In the tribal tracts he must remain as heretofore the Agent to the Governor-General." And, even in the internal administration "a wider power

of control, and a closer supervision by the Governor-General" was required than what he exercises over a Governor's Province. This skeleton constitution was claimed to embody at a very low cost all the essentials in the reforms enjoyed by a major Province:

"It sets up a Legislative Council with an elective majority; it includes a Minister, and an Executive Council, and it makes full provision for the introduction of adequate safeguards for the interests of the small non-Muslim minority and for the paramount interest of all India".

139. JUDICIAL ADMINISTRATION IN N.-W.F. PROVINCE

The question of judicial administration for North-West Frontier Province was closely allied to its general administration and the advocates of re-amalgamation of the Province with the Panjab favoured the policy of judicial fusion with the bigger Province, enjoying the benefit of a Chief Court at the time of separation, and later of a High Court of Judicature. Judicial amalgamation was urged because

"(*a*) the public have greater confidence in a High Court than in a court consisting of a single judge"; "(*b*) the smallness of the Province restricts the field of recruitment for judicial service, and denies its officers the opportunities of adequate training and a larger experience;" "(*c*) to the higher judicial posts are frequently appointed officers of the political department who are ill-equipped for discharging the duties of a judge;" "(*d*) there would have been no appreciable rise in serious crime had the Province been subject to the jurisdiction of the Panjab High Court"; "(*e*) the excessive use of certain provisions of the Frontier crimes regulation has seriously affected the efficiency not only of the police but also of the judiciary"; "(*f*) the extraordinary powers exercised over the legal profession in the Province have retarded the growth of an efficient and independent bar".

Bench of Judges.

This proposition was negatived on the ground that this essential reform on ground (a) above, "can be secured within the Frontier Province itself by the appointment of an additional Judicial Commissioner."

The Committee felt convinced that

"the raising of the Judicial Commissioner's Court to a Bench of two Judges will result in greater convenience and contentment and conduce to the better governance of the people of the Province than a transfer of judicial control to the High Court of the Panjab";

and they recommended the appointment of an additional Judicial Commissioner, who should be a member of the Bar, "on the same pay as the Judicial Commissioner without allowances."(*a*)

(*a*) Enquiry Committee Report, p. 25.

140. JUDICIAL TRAINING AND EXPERIENCE FOR PROVINCIAL SERVICE

The disadvantages inherent in a small judicial cadre were counterbalanced by several considerations, of manning the judicial services mainly by local element, and the "great importance of securing full training and opportunities for larger and more varied experience to the judicial officer of the Frontier." The solution rested in the insistence on a minimum educational standard for direct appointment to the Provincial service; *secondly*, in a thorough grounding of junior judicial officers both of the Imperial and Provincial services in the Panjab or in the United Provinces, where special classes have been instituted for junior officers; and *finally*, in the periodical interchange of officers, having similar qualifications, between the Panjab and the North-West Frontier Province.

141. IMPERIAL AND PROVINCIAL JUDICIAL SERVICES

To meet the criticism that the exigencies of Political Department led to the frequent appointment of ill-equipped military officers, it was recommended

"that as a rule no officer should be posted to a superior judicial appointment unless he has had an adequate judicial training and experience. And with a view to a continuous strengthening of the judiciary in the Province, the gradual building up of a separate judicial service, Provincial and Imperial, should be kept in view, and also the progressive Indianization of the superior judicial service, partly by recruitment from the Bar". (*a*)

142. DECREASE OF CRIME OR EXPENDITURE

A judicial re-amalgamation with the Panjab was not necessarily likely to check the rise in crime, which was due to internal causes, and according to the Enquiry Committee, the Panjab High Court "would have been even more powerless to check a rise in crime in the distant Frontier where the causes have been for the most part external." The Panjab High Court would require one or two additional judges before undertaking the judicial administration of the Province, and judicial amalgamation would not spell economy.

143. FRONTIER CRIMES REGULATION

The Frontier crimes regulation was a legacy from the Panjab regime: and would have remained in force if the Frontier districts

(*a*) Enquiry Committee Report, p. 26.

were judicially amalgamated with the Panjab. Its repeal was out of the question according to the Frontier Enquiry Committee:

"to repeal its civil sections would be to inflict grave hardship on the Pathans, who rely on them for a cheap and expeditious settlement of their disputes by a jirgah—the Pathan equivalent of Panchayat—according to their ancient tribal custom. To repeal the criminal sections would be to undermine the forces of law and order and to deprive the Hindus in particular of one of the greatest safeguards in a land where passions are hot, blood feuds are endemic, legal evidence is exceedingly difficult to obtain, and refuge from the arm of the law is close to hand across the border. To repeal the trans-frontier sections would be to paralyse our whole system of trans-frontier control". (*a*)

But, it was conceded that amendment of the Frontier Crime Regulation was essential, and could be fitly undertaken by the local Legislative Council when set up. It was quite clear that the jirgah system had been overdone, and steps should be taken forthwith to restrict its application by executive order, to trans-frontier tribesmen, and to curtail the delegation to lower officers of the powers vesting primarily in the Deputy Commissioner and other restictions and improvements were suggested for immediate enforcement.

144. REMOVAL OF RESTRICTIONS ON THE BAR

The existence of restrictions on the legal profession were both unnecessary and improper, and the rules insisting on the renewal of licenses from year to year; the restriction of licenses to a particular place of business, and the vesting of the power of revision of the Judicial Commissioner's decisions in the Local Government were all advised to be removed. The Committee considered that "a license once granted to a Barrister, Advocate, or Vakil of a High Court, should not require renewal;" they regarded "prescription of a particular place of business as an unwarrantable interference with the profession": and it was held that "the Local Government should have no voice in the enrolment or regulation of legal practitioners." The original object of applying special rules to the Province was to discourage the overcrowding of the Bar by outsiders, but whatever the justification for the old restrictions may have been at the outset, the Bar and the Province had outgrown them.

"The number of legal practitioners in the Province is now so great that the Committee think that no native of the Province should be refused enrolment

(*a*) Enquiry Committee Report, p. 27.

except for reasons which would justify refusal under the legal practitioner's Act, and that any legal practitioner enrolled in a High Court should be allowed casual appearance in the subordinate courts of the Province without special permission or payment of a fee." (a)

Judicial amalgamation was condemned as being "repugnant to the local sentiment in the Province at large," and "the lead taken by the Bar in the advocacy of re-amalgamation with the Panjab" was traced to these "galling restrictions." All the Bar Associations of the Province, be it noted laid great stress on the necessity and desirability in the public interests, of bringing the whole judicial administration, of the Province under the direct control of the Chartered High Court of Judicature at Lahore.

(a) Enquiry Committee Report, pp. 27-28.

CHAPTER VII.

HISTORY OF CONSTITUTIONAL DEVELOPMENT IN N.-W. F. PROVINCE

145. BACKWARD ADMINISTRATION

When the five settled districts now constituting the N.-W.F. Province, by reason of their interdependence on the trans-border tracts, were placed under the direct administration of the Government of India, through a Chief Commissioner, and Agent to the Governor-General, the Panjab enjoyed a Legislative Council created in 1897. The five settled districts were thrown back into the position which the Panjab had shortly after the annexation in pre-mutiny days. From an administration run by a Licutenant Governor, and Council, on executive side, and by the Chief Court of the Panjab on judicial side, the N.-W. F. Province administration was placed in the hands of a Chief Commissioner, assisted by the Judicial Commissioner and the Revenue Commissioner. There were five Deputy Commissioners, each in charge of one district. Instead of Acts of Legislature passed by the Governor-General-in-Council, or by the Panjab Lagislative Council, there was a number of Regulations issued by the authority of the Governor-General.

146. THE REGULATIONS

THE FRONTIER CRIMES REGULATION III of 1901,—a regulation further to provide for suppression of crime in certain Frontier districts—provided for powers of courts and officers; the civil references to council of elders; penalties in shape of blockade of tribes, or fines on communities; with power to prohibit erection of new villages, or to direct removal of villages, regulation of *hujras chauks*, demolition of buildings used by robbers; power to arrest, security and surveillance, and imprisonment with a view to prevent crimes, etc.: giving no right of appeal, but a restricted power of civil or criminal revision by the Chief Commissioner. There was another regulation to make

The Frontier Crimes Regulation III of 1901.

Regulation IV of 1901.

better provision for the suppression of MURDEROUS OUTRAGES in certain Frontier tracts—REGULATION IV OF 1901. THE NORTH-WEST PROVINCE LAW AND JUSTICE REGULATION, VII OF 1901, was enacted on the 9th November, 1901,

N.-W.F. Province Law & Justice Regulation, 1901.

"to alter certain of the laws in force in the North-West Frontier Province, to declare that certain enactments are in force therein. and to bar the application of certain others thereto".

Legal practitioners had to obtain authority from the Judicial Commissioner, entitling them to appear and practice in any civil, criminal or revenue court, and in the latter case, the concurrence of the Revenue Commissioner was made essential. The local Government had powers of revision in this respect. The Court of the Judicial Commissioner was the highest civil and criminal court of appeal or revision in the N.-W. F. Province, with rule making powers, administering through the Registrar, and ministerial officers. Besides the Judicial Commissioner, the Courts of Small Causes, there were established the following classes of civil courts, namely, (a) the Divisional Court, (b) the Court of the District Judge; (c) the Court of the Subordinate Judge and (d) the Court of the Munsiff. Two civil divisions consisting of three and two districts respectively were formed at Dera Ismail Khan and Peshawar, and two divisional courts were established: also five District Judges, as principal courts of original civil jurisdiction. The local Government was empowered to appoint any number of Subordinate Judges, while the appointment of a fixed number of Munsiffs rested with the Judicial Commissioner. Provision was made for appeals and second appeals, also for revision, and reference. Another REGULATION V OF 1904, was made affecting the N.-W. F. Province, "to make better provision for the law relating to the Courts of Wards in the N.-W. F. Province." The HAZARA FOREST REGULATION III OF 1911, made provision for reserved forests, and waste-lands in Hazara district and dealt with duties and fees; control of forest produce in transit, drift and standard timber; cattle trespass; penalties and procedure. The above were Regulations, issued under the authority of the Governor-General. In 1915, the NORTH-WEST FRONTIER CONSTABULARY ACT (XIII OF 1915) was passed by the Governor-General of India in Council, in force in

Court of Wards Regulation V of 1904.

The Hazara Forest Regulation III of 1911.

N.-W. F. Province only. Another REGULATION I OF 1920, (The N.-W. F. Province Validation and Indemnity Regulation) was passed affecting the N.-W F. Province only, "to validate certain sentences passed and Acts done under Martial Law in parts of the N.-W. F. Province, and to indemnify officers of Government and other persons in respect of such sentences and acts". THE N.-W. F. PROVINCE SECURITY REGULATION IV OF 1922 provided for continuation in force of certain provisions of existing law for the purpose of securing the peace and safety of N.-W.F. Province.

N.-W.F. Province Constabulary Act.

Regulation I of 1920.

N.-W.F.P. Security Regulation IV of 1922.

147. LORD CURZON'S VICEROYALTY (1901-1905)

The period of Lord Curzon's Viceroyalty in India was remarkable for the resentment evinced by the Bengalis against the Partition of Bengal. That scheme, like the separation of N.-W.F. Province from the Panjab, was "represented as the designed subjection of Hindus to Muslim interests", but the agitation in N.-W.F. Province was almost nil. The difference in the two cases lay in the fact that there was no free press in N.-W.F. Province at all. And whatever agitation or grumbling against this policy of separation was possible by public meetings, or representations of organisations could be most effectively gagged by proceedings under the Frontier Crime Regulation. The pleader class which generally takes a lead in all such political moves was under complete control of the authorities, and some of them were happy in the privileged position which they enjoyed as licensed legal practitioners under the system which excluded all outsiders. The general public saw no necessary connection between the policy of direct control by the Government of India of the trans-border tracts, or of foreign relations with the Amir of Afghanistan, and a lower system of administration in which the authorities seemed to place implicit faith for properly handling the five settled districts containing an overwhelmingly large Muslim population.

148. MORLEY-MINTO REFORMS FOR PANJAB AT 1909

The period intervening between the departure of Lord Curzon from India in 1905, and the outbreak of the Great War, saw no politi-

cal advance in North-West Frontier Province corresponding to the constitutional changes introduced in the Panjab, known by the name of "Morley-Minto Reforms, 1909." *The principle features* of the constitutional changes then introduced were the introduction of elective principle based on representation by classes and interests; the existence of separate electorates for minorities; and the principle of indirect election by municipalities and district boards as the method of selection by the majority of the unofficial members of the Legislatures. These reforms, so far as was necessary, were embodied in the Indian Councils Act, 1909, and the regulations made under it by the Government of India. Perhaps these reforms, which were a concession to advanced public opinion in India, and were deemed "the natural correlative to the repression of violence" in Bengal, were considered unnecessary here as the Province was seemingly satisfied with the existing political conditions, and there was no pressure of popular opinion to support the aspirations of any advanced party then existing in this corner of the country, for the establishment of real representative Government by the Legislative Council, or the inauguration of elective methods in municipalities or district boards. Even the idea of an Advisory Council, of hereditary leaders of the people was never put in the front. The only remedy that occurred to the people here was to agitate for re-amalgamation with the Panjab from which they had been politically severed, on the theory of inseparability of districts and tracts, merely under the dictation of a strong personality like Lord Curzon, and they hoped that on his retirement the policy advocated by him might cease to be operative.

149. THE GREAT WAR, 1914-1918

During the excitement occasioned by the Great War (1914-1918), no one thought of any political advancement for the five settled districts of North-West Frontier Province. There was the *Khilafat* and *Hijrat Movement* in 1915. Many unfortunate peasants sold their lands and emigrated to Afghanistan and returned sadly disappointed. The maintenance of peace on the border in view of possible Afghan and tribal action under the influence of German and Turkish missions, was one of chief concerns, and the supply of recruits and war-funds to carry on the Great War to a successful issue was the other pre-occupation of the authorities. But, the momentous declaration, of August 20th, 1917, had been made on the

goal of British policy in India, which covered all parts of the British Indian Empire. This was in recognition of India's war services, and North-West Frontier Province had been behind none in this respect.

150. THE MONTAGU-CHELMSFORD REFORMS, 1919

THE MONTAGU-CHELMSFORD REFORMS OF 1919, which marked the development of Local Self-Government, and the introduction of democracy in local bodies investing them with real responsibility in all matters of purely local or Provincial interest, were denied to this Province: although the rest of India was advancing towards the attainment of terms of equality with the self-governing units of the British Empire. After the Great War came the Afghan War of 1919; and soon after there was a demand for "full-fledged reforms" for this miniature Province, on the part of those who wanted to derive the utmost political gain from their situation as the dominating Pathan community in this corner of the country. The Hindus as a body, and most of the intelligentsia class of Mohammedans in North-West Frontier Province, however, saw their political salvation in re-amalgamation with the Panjab, both judicially, and executively.

151. THE N.-W. F. PROVINCE ENQUIRY COMMITTEE

The result was an Enquiry Committee of three Europeans, three Mohammedans, and two Hindus, under the Chairmanship of Sir Dennys Bray, which reported in October 1922, against the re-amalgamation Scheme, and recommended grant of liberal institutions, with certain safeguards, as noticed in earlier part of this work, *vide* Chapter VI. 136-138 *ante*:

CHAPTER VIII.

THE ROYAL STATUTORY COMMISSION

152. THE SIMON COMMISSION

The Government of India Act, 1919, prescribed the appointment, at the expiration of 10 years from the passing of that Act, of a Commission for the purpose of inquiring into the working of the system of Government set up under the Act and certain kindred matters and reporting on the constitutional changes which may be considered desirable. However, in November 1927, H. E. Lord Irwin, Viceroy and Governor-General of India, announced the decision of His Majesty's Government to constitute a Statutory Commission immediately. This Statutory Commission confined to the members of the two Houses of Parliament was boycotted in India, as constituting an insult to Indians. The Legislative Assembly passed a Resolution pointing out that the then Constitution and Scheme of the Statutory Commission was wholly unacceptable. Later, the Indian Central Committee consisting of 4 members of the Council of State, and 5 members of the Legislative Assembly, were appointed to sit in "Joint Free Conference" with the Statutory Commission for the purpose of scrutinising and elucidating "from the Indian side, on free and equal terms," the memoranda and evidence which would be presented to the Statutory Commission: The labours of the Statutory Commission, and of the Indian Central Committee, "with free exchange of view and mutual influence," were "complementary and mutually interdependent"; "neither being complete without the other." The two Committees came to North-West Frontier Province and held their sittings at Peshawar in November 1928. All sorts of views were pressed upon their attention. The results of the recommendations of the Statutory Committee, and of the Indian Central Committee, so far as they bear on North-West Frontier Province are noticed separately in subsequent paragraphs. It may be noticed here that while the Simon Committee was boycotted in the rest of India, there was only a poor demonstration at Peshawar by Messrs. Amirchand Bamwal, and Paira Khan, shouting "Simon go back," which the British Commissioners acknowledged good-humouredly by

The Indian Central Committee.

taking their hats off and waving them. The Commission was practically welcomed in North-West Frontier Province by all sections of communities and classes of the people, including Hindus, Sikhs and Mohammedans, and each party was most anxious that its point of view might be fully impressed on the members of the two Committees sitting in joint conference, with a view to a happy solution of the political problem rendered extremely complicate by reason of Lord Curzon's policy of separation reducing the cultured Hindus to a position of utter insignificance in this Province mainly populated by the Pathan community with its characteristic mentality.

153. THE KHANS' DEPUTATION

On the 19th November, 1928, the Simon Conference received a deputation of the Khans (Frontier Aristocrats), led by Khan Bahadur Abdul Ghafur Khan of Zaida. The Khans' written statement of their case was to the effect that they wanted a scheme of reforms for the Frontier Province with a Council having the same powers as were enjoyed by other Provinces. The people of the Province, it was said, had a common stock and differed from other races of India. They had their own customs and did not want violent changes in the administrative machinery. The Legislative Council, they advocated, should consist of two-third nominated and one-third elected members. The Khans had been associated with Government officers in the work of administration as natural leaders of the people and feared that the introduction of the elective system on a wide scale would disorganise the present state of society and remove that trust and confidence which the people placed in the Khans. They wanted four seats in the Assembly, three in the Council of State and narrated the military services rendered by the Khans as an additional argument for a special consideration of their claim. The Khans' deputation would not object to joint electorates, but, if the Hindus so wanted they would have separate electorates. The Khans wanted nomination of members ensuring a majority in Council of the aristocracy: and they wanted nominated seats in the local bodies.

154. THE HINDU VIEWPOINT

The Frontier Hindus deputation led by Rai Bahadur Thakur Datta explained their case, in a written memorandum mainly drafted

The Statutory Commission at Peshawar.

by the author, which he read out before the Simon Conference on behalf of the delegation. The Hindu opposition to the extension of reforms and of the elective system to the Province, was based on strategic and political reasons against the change which proposed to place the Hindus in a hopeless minority, after separating them from the Panjab, for no fault of their own. There was also insurmountable financial difficulties in a miniature Province which was always bound to be a deficit Province. The Hindus considered that any constitutional changes which weakened the executive authority would be dangerous to the peace of the Empire, by reason of its contiguity to Afghanistan and the tribal territory populated by fanatical Pathans who held the infidel Hindus in contempt and hatred. The Hindus considered that the influence of the Khans had been a bulwark, and important safeguard against the unruly elements in the Province. They felt that as long as the dominant community had not reached the stage of political advancement where politics is dissociated from religion, and religion from affairs of public life. Provincial autonomy on communal lines would not be acceptable to the Hindus. But, while they opposed reforms in this sense, they would not oppose an experimental advance, in shape of Advisory Councils. They claimed in the Assembly two seats for Hindus, and two for Mohammedans, urged the industrial development of the Province, judicial amalgamation with the Panjab, repeal of Land Alienation Act, and opening the Public Services to free open competition. The leader of the deputation, under examination, explained that though formerly in favour of amalgamation with the Panjab, feeling afraid of kidnapping and murders that were going on, he now opposed it because as the result of the Forward Policy their life and property was safe, but their commercial stake and their educational advancement entitled them to the same privileged position as was held by Europeans in various parts of India where they had large stakes. As regards judicial amalgamation, the deputation explained that they could not get a proper personnel, and the judicial commissioners here had not the same respect, not their decisions, as High Court Judges had. They suggested two High Court Judges should sit here so that in case of disagreement between them a third High Court Judge could decide this issue. Regarding the communal question which was acute here, the Deputy Commissioner, City Magistrate, and Subdivisional Officer must be civilians: and there

ought to be more British officers. The Pathan mentality in the Province was very peculiar, and the Hindu interests or rights could not be safe, but opposition to reforms would be withdrawn, if the Hindu position in the Assembly was strong, and the Moslems will not be able to persecute the minorities. The Hindus did not find the tribal attitude in tribal areas friendly and rather than live under the prevailing conditions they would leave the Province. The so-called "advanced Hindus" were merely serving as gramophones of certain interests. Mr. Beli Ram Malhotra, and Mr. Kapur gave evidence stating that "advanced Hindus" wanted reforms for the province and one-third of the total seats in the Council to be given to non-Moslems.

155. FRONTIER SIKH'S DEPUTATION

Sardar Raja Singh led the deputation of five Sikhs who claimed that the Sikhs were the most important minority. They paid a large amount of income-tax and were educationally more advanced than the other communities. They were the last rulers of the Panjab, from which the Frontier had been carved out. They recognised the Indian desire for a larger share in the administration and would fall in with the general view regarding the electorate all over India. They favoured a joint electorate with reservation of seats, and wanted for Sikhs, who though numerically were 1%; 25% seats in the Council. They considered the Hindus and Moslems both distinct from the Sikhs.

156. DEPUTATION OF ADVANCED MOSLEMS

A deputation of advanced Moslems, led by K.B. Saadud-din, Additional Judicial Commissioner, speaking in a personal capacity, explained that they were for full-fledged reforms and accepted in entirety the report of the Bray Committee majority. He saw no objection to ministerial responsibility including Law and Order. The Chief Commissioner will remain directly in charge of and responsible for the tribal area. There was no question of deficit. The Province was created for Imperial purposes, and the Central Government must meet the increased expenditure: as they were expecting to have control. These would be practically wages of the door-keepers. The army alone cannot keep the door. If it was impossible to finance the Province, amalgamation with the Panjab would be favoured. Full

autonomy was favoured by even the Nehru report; and Lala Lajpat-rai strongly favoured the Frontier reforms. Educationally, socially and in other respects, this Province was just as good as the rest of India, and should enjoy the elective system not only in local bodies, but in Legislative Council. In dealing with the minorities they would treat the Sikhs as a distinct community, and give the minorities reciprocal treatment. There was no fear of internecine war if administration was left in Muslim hands, as they wanted to sink or swim with the rest of India. Conditions here are in no way worse than those in the rest of India. The interests of the Khans were not separate. They want the same education and the same codes of law. As regards subvention a proportion of Central Revenues could be allotted for the Frontier Province, and of this sum one portion set apart for the settled districts and the other for the unadministered tracts.

157. THE HINDU OPPOSITION OF THE REFORMS

It has often been remarked that the Hindus in N.-W. F. Province were opposed to reform scheme sought to be introduced in this Province as part of the general scheme in the rest of India. To understand the true position, it is necessary to refer to the explanatory statement issued by the author to the press soon after the deputation of the 19th November, 1928. The Hindus were not opposed to the reforms, but they wanted reforms through amalgamation with the Panjab of which they were a part for 50 years during the early period of British occupation of the Frontier districts. They were afraid of being deprived of their due share in shaping the policy of the Government in N.-W.F. Province run by Moslem overwhelming majority on democratic lines. They wanted the safeguarding of their cultural, economic, social and other similar interests so vital to their existence as a self-respecting and important entity. They were a hopeless minority in N.-W. F. Province, but they belonged to a community which was the majority community in the greater part of the rest of India. They wanted representation far in excess of their numerical strength in view of their importance. The reforms scheme as adumbrated tended to reduce the Hindus and Sikhs to the position of mere Serfs and *Kamins* of the Muslim population. The following passages from the article in *Civil and Military Gazette* dated the 24th of November 1928, may be cited:

157A. HINDU ATTITUDE EXPLAINED

"The Hindus in this Province are not wanting in a desire for political advancement along with the rest of India, on broad national grounds" "but situated as they are, are opposed to reforms *on a communal basis, or on population strength*".

It was explained that

"the former (*viz*, a communal basis) is the negation of *nationalism for which they stand here as elsewhere*, and the latter (*viz.*, population strength) gives no real indication of the all-India, or Provincial importance of the minorities".

It was urged before the Simon Commission that

"the policy of separating the five settled districts from the Panjab and placing them under a Chief Commissioner concerned with the administration of comparatively uncivilised tribes, had resulted, as a pure accident of that policy, in reducing the Hindu minority from about 40% in the Panjab to 7% in the N.-W.F. Province".

Believing that it would never have been intended to benefit the Mohammedans here at the expense of the Hindus, with a view to weaken the latter's importance or influence, the deputation had contended,

"that equitably they should be treated, so far as was practicable, or possible, *as if they were still parts and parcels of the Panjab, in determining their voting* strength in this Province".

Like the rest of India, most of the advanced Hindus, and many Hindus of moderate views in N.-W.F. Province agreed in thinking that *Dominion Status is the ultimate goal of political progress in India;* but there was nothing reactionary on the part of the Hindus of this Province, in stating that as they were situated, British control, and the supreme power of the Central Government which pays for India's defences, is absolutely essential to direct the political progress in this "deficit miniature Province, close to Afghanistan, and to unruly hill-tribes," on extremely cautious lines, inasmuch as the dominant community here at any rate "finds it impossible to divorce religion from politics, or to abandon communalism." The Hindus were quite prepared to place their case at the bar of the national tribunal—the All-India Parties Conference—and they undertook to

"readily abide by the final judgment of our national leaders after a full and proper consideration of our difficulties and present situation, geographical, financial, and political, as practical Politicians".

157B. RESOLUTION OF PROVINCIAL CONFERENCE

The same viewpoint appears more clearly in a Resolution moved by the author of the Panjab, North-West Frontier Province and Sindh Provincial Conference, held at Lahore on 9th and 10th May, 1931. The Resolution is self-explanatory, and ran as follows:—

"In view of the fact that (a) factious spirit and violent crime are rampant in the N.-W. F. Province; and (b) that the Provincial revenues do not meet the expenses of its internal administration and (c) in view of the peculiar conditions, political, geographical and economical, obtaining there, this Conference is of firm opinion that the proposed constitutional changes in that Province will not be conducive to good Government and peaceful progress; unless they are accompanied by the following safeguards:—

(1) Strengthening of defences in the Khyber and Tirah on the lines adopted so successfully in Waziristan:

(2) Law and Order to remain a central subject and the Province not to be a charge on the Central revenues, except so far as the expenditure on Central subjects is concerned.

(3) Judiciary to be placed under a Chartered High Court which should be treated as a Central subject.

(4) Appointments in the Provincial services as also of Tahsildars and police Sub-Inspectors to be made by open competition by the public service commission, and all appointments in the subordinate service to be made solely in consideration of merit.

(5) Right of appeal to the Central Legislature against the oppressive Acts of the Provincial Council".

158. THE OFFICIAL VIEW

Mr. F. C. Isemonger, Inspector-General of Police, North-West Frontier Province since 1925, and Mr. A. A. F. Metcalfe, Deputy Commissioner, Peshawar, (now Sir A. A. F. Metcalfe, Foreign Secretary) who had experience of political agency work were examined by the Simon Conference on the 20th November, 1928. THE POLICE FORCE was 5,000, all armed, which meant one policeman for every 375 inhabitants, and to every two and a quarter miles. The police force was recruited in the Province, and partly from the Panjab. About 28% of them were literate. The CRIME STATISTICS showed 514 true cases of murder, 56 dacoities, 101 robberies, and 1,052 true cases of burglaries in one year. This list excluded reported cases which on police investigation were held not actually to have occurred. Out of 514 murder cases only 99 were convicted by Judicial courts: and 170 convicted by "Jirgah." The balance were acquitted or not apprehended. The Jirgah trials were on the whole satis-

factory. THE CONSTABULARY FORCE of 5,000 men was a sort of ally service to the police force; but its main duty lay on the border. It keeps watch on raiders, collects usual political information, and communicates it to the Chief Commissioner. Khasadars work in independent tribal areas. The percentage for Indianization was about 25% corruption existed in the police as in every department throughout the country, but the supervisory agency, and the punishment accorded in the police were better than any other service.

THE FRONTIER CRIMES REGULATION was used where the ordinary law could not work, both for sending up people for trial to "Jirgah," and placing them on Security. The present proportion of European recruitment was considered necessary for the good conduct and efficiency in police force. The existence of large cantonments undoubtedly imposed extra duty and the maintenance of a large police force in the cantonments for their protection. The cost of the Frontier police was Rs. 28 lakhs, and of the Frontier constabulary Rs. 22 lakhs. Some policemen are recruited from the tribal area. The changed conditions on the Frontier had resulted in considerable improvement, *viz.*, large decrease of kidnapping and greater peace. If economic conditions are good there is less crime. Life is very cheap out here, and the public do not co-operate with the police to a very great extent; there is lack of sympathy, not any marked hostility. The percentage of those who escape into the trans-frontier area is fairly large, but Political Agents are able to bring pressure either for their being passed on to the other areas or handed to the political agency or, if the police get information, they capture them. There is no case of anarchical crime as in Bengal. There is nervousness among the Hindu population as to police administration, the force being entirely Mohammedan. On occasions of communal troubles elsewhere which have a repercussion here, there is a feeling of insecurity, and for that reason Hindus would like to have a percentage of the police of their own people. Improved relations have existed between Hindus and Mohammedans, showing no communal disturbance for three years. The police force do their duty loyally unaffected by any communal trouble. About 50% of the force was used for rural areas. Mr. A. A. F. METCALFE informed the Conference that Frontier Crimes Regulation was applied to the settled districts and also in some cases extensively to the Agency area. Civil disputes before jirgah are generally settled by arranging a compromise

through some prominent local gentleman. The jirgah finding is as a general rule accepted by the Deputy Commissioner in contested cases. The system avoids payment of heavy court-fee, ("and there is no wasting of money on lawyers"). In criminal cases jirgah reports on questions forming the terms of reference: the Deputy Commissioner discusses the matter with jirgah, and if conviction results, the maximum penalty is not death, but imprisonment up to 14 years, while all punishment, over 7 years is subject to Chief Commissioner's sanction. The system works satisfactorily on the whole. The light manner in which the Pathan regards human life, involves considerable difficulties in working law and order; out of 505 murders, 222 were committed in Peshawar district alone.

159. THE RECOMMENDATIONS OF THE INDIAN CENTRAL COMMITTEE

General Principles of Representation of Communities

The majority of the Indian Central Committee regarded the principle of communal electorates as inherently vicious and unsound, and desired to see it abolished throughout India as soon as possible. They were prepared to recommend the retention of communal electorates only in exceptional circumstances. Where circumstances rendered it unlikely that a minority will obtain adequate representation with special protection, they recommended reservation of seats for them in joint electorates. They would at the same time leave the members of a minority community free to contest seats in the general constituencies over and above those reserved for them. The Muslim minority in six Provinces had been granted representation in excess of that to which they would be entitled on a population basis: and it was beyond question that the majority of Muslims throughout India desired to retain special electorates. In the Panjab, the Indian Central Committee followed for the two principal minority communities, the Hindus and the Sikhs, the same principle which they had applied to the Muslims in Provinces in which they were in a minority.

160. THE PROBLEM OF NORTH-WEST FRONTIER PROVINCE

The Indian Central Committee dealing with the problem of North-West Frontier Province observed that

"the population of the five settled districts of the N.-W. F. Province, according to the Census of 1921, totals 2,251,340, of whom Muslims number 2,062,786; Hindus, 149,881; and Sikhs, 28,040. No system of representative Government has hitherto been introduced into the Province, and whether we have regard to its geographical position, to the warlike character of its inhabitants, or to their lack of experience of the working of representative institutions, it is clear that the future Government of the Province involves problems of the greatest importance. Quite apart from the factors to which we have alluded is the fact that the North-West Frontier Province is, and seems likely to remain, A DEFICIT PROVINCE. The introduction of any system of representative Government would in some directions involve an increased expenditure, and thus widen the gap which at present exists between receipts and expenses. The financial problem is one for which we are not in a position to offer any solution. As regards the main question at issue, it appears clear to us that the time has arrived when a beginning should be made of the introduction into the North-West Frontier Province of a system of representative Government. We accordingly recommend that reforms should be introduced into the N.-W. F. Province on the lines of the MORLEY-MINTO REFORMS. After a constitution on these lines has been in operation for a period of ten years, we consider that the question should be further examined, with a view to seeing what advance can then be made".

161. CENTRAL LEGISLATURE

The Indian Central Committee considered

"that the Governor-General in Council should have the power, with the approval of the Secretary of State and by notification, to take any Province under the immediate authority and management of the Governor-General in Council, and thereupon to give all necessary orders and directions respecting its administration and provide for it in any manner he thinks fit"

They referred to

"the need of a strong Central Government, co-ordinating and in a measure controlling the Provinces, to keep them drifting apart"

They proposed to proceed in the first instance by the transfer of all subjects, except the defence of India, and its relations with foreign and Indian States, to the control of Ministers responsible to the Legislature. They proposed a Legislative Assembly of 300 members, in addition to the nominated experts without the right to vote. In the composition of the Assembly, they proposed a distribution by Provinces, allotting 6 seats to North-West Frontier Province. They were of opinion that it was essential to embody in the Government of India Act, a declaration of certain fundamental rights, provided that it shall not affect the *Panjab Land Alienation*

Act, or any similar Act for the protection of agriculturists in India. (This was made applicable to North-West Frontier Province).

162. INDIA'S MINIMUM DEMAND

The Indian Central Committee in setting forth in detail some of the principal changes they wished to see introduced in the system of Government set up under the Government of India Act of 1919, pointed out what they considered to be India's minimum demands. They noted the conclusion reached by the Committee as follows:

"We demand an explicit declaration on the part of the British Parliament that FULL DOMINION STATUS for India is the goal at which it aims. We demand, further, that an immediate and substantial steps should be taken towards the attainment of that goal by the conferring on the Provinces of a liberal measure of autonomy and by making the Government of India responsible to its Legislature in accordance with our detailed recommendations. Lastly, we demand that provision should be made in the Government of India Act which will enable the above goal to be reached without the necessity for further inquiries by Statutory Commission or other agency". "We are convinced that there is no safe half-way house between an immediate advance on the lines which we have indicated in our report and an ultimate surrender by the British Government after years of agitation and bitterness to India's insistent demand".

163. THE SIMON COMMITTEE REPORT

General Principles.

In describing the difficult conditions of the Indian problem, *viz.*,

"the immense area and population of India, the diversities of race, creed and caste, the existence of the Indian states, the predominance in numbers of the rural population. the high percentage of illiteracy."

the Simon Committee mention the last but not least, "*the standing menace of the North-West Frontier*," as

"all facts which no person, British or Indian, who has to deal with the constitutional problem of India can possibly ignore."

In Part I, of their report they mention that

"*the preamble to the Government of India Act* declares that progress in giving effect to the policy of the progressive realisation of responsible Government in British India can only be achieved by successive stages; but there is no reason why the length of these successive stages should be declared in advance, or why every stage should be marked by a commission of enquiry".

Further, that any constitutional changes recommended for different parts of India,

"must have regard to the future development when India as a whole, not merely British India, will take her place among the constituent states of the Commonwealth of Nations united under the Crown".

After noticing the closely interwoven conditions of the States and British India, and the Political Unity of the British India by the bond of common allegiance to the Crown, it is observed that

"economic forces are such that the States and British India must stand or fall together".

A still more fundamental point is the common need of the States and the British Indian Empire. An outstanding example given is that of defence.

"In the past, the invaders of India have not stopped short at political boundaries,—once through the barrier of the North-West, they have penetrated far into the Peninsula"

Indian Nationalism.

The existence of British rule in India has brought in the forefront the phenomena of INDIAN NATIONALISM,

"which cannot be disregarded by the rulers either of British India or of the Indian States":

and it was opined that

"it is only under a federal system that a sentiment underlying the movement can be given effective expression"

164. THE IDEAL OF FEDERATION

The ideal of Federation for All-India is the corner-stone of the scheme of reforms set up by the Simon Committee: and this has been ultimately accepted in the Government of India Act, 1935. It is this scheme which made Mr. Baldwin observe at the Empire Day Coronation Banquet in London, in his last public speech as Prime Minister, that

"many as have been the dynasties that have ruled India, none has held a sway so universal and undisputed as that monarchy of which every man and woman in this room are servants"....."in that loyalty which is focussed upon the Crown India finds that unity that she has sought so long".

What he meant to convey was that India would ere long be as one of the other self-governing dominions, knit together with other members of the British Commonwealth of Nations, by the Crown as an outward symbol of unity—and he added:

"WE ARE NOW ENGAGED IN TRANSLATING THAT UNITY INTO TERMS OF FEDERATION, FROM WHICH WE HOPE AND BELIEVE WILL ARISE AN INDIA GREATER THAN SHE HAS EVER YET BEEN."

165. PROVINCIAL SELF-GOVERNMENT, UNDER SAFEGUARDS

The Simon scheme is based upon the desirability of "the reconstruction of the Indian Constitution on a Federal basis." It recognises that

"India is gradually moving from autocracy to democracy, but proposes to start with "PROVINCIAL SELF-GOVERNMENT", in redistributed areas evolving by a process of growth and development, the form of executive and legislative machinery most suited to it".

Thus, it gives in the provincial sphere,

"a full opportunity for an experiment in the application of the British Parliamentary system". ... "combining it with restrictions and qualifications under which the full force of the majority rule is mitigated by the power of intervention vested in the Governor for such purposes as THE PROTECTION OF MINORITIES, AND THE PRESERVATION OF ORDER". "In so intervening, the Governor will be acting under the superintendence of the Governor-General, for it is on the strength of the central administration that the peace and safety of India ultimately depend".

The Nature of Central Authority.

166. THE NEED FOR SAFEGUARDS

The Simon Committee observe under the caption "DEFENCE," that

"History shows that, whenever there has been wanting in India, a Government strong enough to defend itself, invasion through the Gateway of the North-West has occurred".

i Defence.

In this connection they refer to

"the perpetual menace from the unruly tribesmen in the tracts and the possibility of an attack from a foreign enemy":

adding, that

"it is an absolute condition for the development of Self-Government in India that the Gateway should be safely held. The army in India must be strong enough for its task":

and holding

"that for many years the presence of British troops, and British officers serving in Indian regiments, will be essential".

ii. Internal Security.

The next safeguard is the provision for internal security: and in this connection attention is drawn to "the history of communal disturbances during the past few years," which

"shows how slight an incident may cause trouble which, if not checked at an early stage, may easily spread from district to district". "Nowhere in the world is there such frequent need for courageous and prompt action as in India, and nowhere is the penalty for hesitation and weakness greater".

It was desired to give the fullest scope for Self-Government, "but if there is a breakdown, then an alternative authority must operate unhampered." It was recommended that

"the Governor-General, or the Governor, as the case may be, must be armed with full and ample powers."

iii. The Minority Communities.

The third safeguard is suggested in the interest of the minority communities, members of which

"have unfortunately only too much reason to fear that their rights and interests will be disregarded."

Abstract declarations of equal rights of all citizens, and of the free exercise of their religion "are useless unless there exists the will and the means to make them effective." The Committee observe that

"until the spirit of tolerance is more widespread in India, and until there is evidence that minorities are prepared to trust to the sense of the justice of the majority, we feel there is indeed need for safeguards"

With this object in view communal representation was to be continued in the absence of a new agreement between Hindus and Mohammedans.

167. PROPOSED REFORMS IN N.-W.F. PROVINCE

Unified Control Essential.

In view of "the absorbing interest, the peculiar character, and the special military and political difficulties which are associated with the North-West Frontier Province," the Simon Committee came to

"the conclusion that responsibility for the administration of the N.-W. F. Province cannot be separated from the responsibility for the peace and control over the tribal area. Only thus can the security of the N.-W. Frontier be effectively maintained."

They thus endorsed the view of the North-West Frontier Enquiry Committee, which was set up in April, 1922, under the Chairmanship of Sir (then Mr.) Dennys Bray that

"in existing conditions, it is not merely inexpedient, for all practical purposes it is impossible to separate the districts and tracts."

The Question of Defence.

On the question of THE NORTH-WEST FRONTIER PROVINCE IN RELATION TO THE DEFENCE OF INDIA, they find it clear that

"it is impossible to separate the control of the forces which secure the integrity of India's boundaries from all central area which forms the inevitable terrain for military operations in its defence."

They entirely shared the view of the Bray Committee that "provision ought now to be made for the constitutional advance of the North-West Frontier Province" and in formulating their scheme of constitutional advance in some detail, agreed that

"the situation of the Province and its intimate relation with the problems of Indian defence were such that special arrangements are required."

168. THE NEED FOR CONSTITUTIONAL ADVANCE

While conceding THE NEED FOR CONSTITUTIONAL ADVANCE, and recommending

(1) "that steps should be taken without delay to frame and carry into effect proposals for the constitutional advance for N.-W. F. Province by setting up suitable representative institutions,"

it was added

(2) "that broad principles of policy forbid us to recommend the establishment of the same measure of responsible Government in the N.-W. F. Province as we have proposed for the Governor's Province."

The claims of "the virile inhabitants" of this area, were met with as far as they could be met, and it was held that

"their geographical position ought not to deprive them of a share in India's political advance,"

but it was added that

"it is not possible to change the plain facts of the situation. *The inherent right of a man to smoke a cigarette must necessarily be curtailed if he lives in a powder magazine.*"

Subject to Restrictions.

Referring to the representation

"that the demand for the introduction of reforms in the N.-W. F. Province is largely due to a desire by the Mohammedans of India to add to their

strength by advancing the constitutional status of a province which contains a majority of their co-religionists,"

it was recommended that

"there should be in the N.-W. F. Province a Legislative Council consisting of some 40 persons with powers of legislation, interpellation and discussion of resolutions and with power of imposing certain taxes and voting supplies in respect of those services which are maintained out of Provincial revenues; but executive responsibilities should, as at present, rest with the Chief Commissioner."

169. COMPOSITION AND POWERS OF N.-W.F. PROVINCE LEGISLATIVE COUNCIL

The COMPOSITION AND POWERS OF NORTH-WEST FRONTIER PROVINCE LEGISLATIVE COUNCIL, as recommended were that

"the Council should consist of an elected and a nominated element in about equal proportions. The former element should be composed of representatives of the Khans elected from a special constituency, of members elected by municipalities, and district boards (which as time goes on will acquire a more representative character as the method of composing them by election becomes more general) and of ex-soldiers."

It was noted that these recommendations were in conformity with the view of the majority of the Bray Committee.

"The nominated element should be selected by the Chief Commissioner and would consist partly of officials and partly of non-officials. One of the former would be the Financial Secretary. The latter would be chosen either to give representation to important elements not otherwise provided for, or to bring to the Council persons of weight and experience. Due provision should be made for the representation of minorities, including Hindus and Sikhs."

Law and Order; Land Revenue, were to be excluded as "in the North-West Frontier matters apparently local, may easily and unexpectedly assume an All-India aspect." The Chief Commissioner with power to appoint a Deputy, should preside over the Legislative Council.

170. REPRESENTATION OF N.-W.F. PROVINCE IN CENTRAL LEGISLATURE

In addition to the above proposals to establish a local Legislature, it was considered that four members from the Province (three Mohammedans and one Hindu), should strengthen the Central Legis

lature, and enjoy the right to take part in discussing All-India questions on the same footing as that of Governor's Provinces.

171. FINANCIAL RELATIONS BETWEEN TWO AREAS

It was considered that

"an examination should be made of the expenditure in the N.-W. F. Province, with a view to separating those items which are solely concerned with the five districts from those which are incidental to the performance by the Chief Commissioner of his functions as Agent in the unadministered tracts and are due to the proximity of those tracts to the five districts."

Assuming that "the normal expenditure of the five districts" is separable from "the extraordinary civil expenditure of the area which is due to its geographical and strategic position," the responsibility of the Provincial Council will be limited to the raising of the necessary funds for normal civil expenditure. The Budget will be presented by the Financial Secretary, and the powers of local taxation would exist as in any other Province. The Chief Commissioner would exercise his powers of restoring rejecting grants, under the superintendence direction, and control of the Governor-General.

172. SUMMARY OF PROPOSALS FOR N.-W.F. PROVINCE

In summing up the proposals for North-West Frontier Province, it was observed that

"these recommendations represent an important advance. For the first time the N.-W. F. Province will have its own Legislature, containing elected representatives, with powers both of taxation, and of voting expenditure; the opportunity of putting questions to the Provincial administration, and of moving, discussing and carrying resolutions on public matters affecting the Province will give the N.-W. F. P. Legislative Council the means of exerting a very important influence on policy as well as an opportunity of working representative institutions; of which the area has as yet no experience. Moreover, the Province will now for the first time be guaranteed full representation in the Central Legislature, and will have a voice in determining to what extent duties shall be imposed to feed the Provincial funds in which the N.-W. F. Province no less than the Governor's Provinces will share."

173. THE CHIEF COMMISSIONER'S SCHEME OF REFORMS

In August, 1930, the Chief Commissioner gave expression to his view, referring to the recommendations of the Indian Statutory Commission,

"that the grant of reforms to the Frontier Province will lead to disturbances of the peace."

He emphasized

"the fact that a new situation had been shown by the events of this year to have arisen in the facility with which discontended persons in the settled districts had been able to call to their assistance tribesmen from across the border."

He outlined a scheme of reforms, with necessary safeguards, which was more liberal than that recommended by the Statutory Commission. It was suggested (1) that the elective element in the Council may be given a slight majority, 51%, of the total seats; (2) the possible introduction of entirely direct election and (3) the presence in the executive of two ministers—one official and the other non-official. He believed

"that reliance on the nominated elements in the legislature, and official assistance in the Cabinet, may secure to the Governor adequate controlling authority."

The whole essence of the scheme, of keeping certain subjects peculiar to the North-West Frontier Province, as central subjects,

"was conditional on the ability and readiness of the Government of India to ensure by force if necessary that trans-border elements shall not be permitted to interfere in Cis-border affairs."

The Government of India in their despatch of 20th September 1930, on reforms "fully recognised the particular conditions of the North-West Frontier Province," and were careful to emphasize what the Chief Commissioner had said. They did not overlook "the weighty considerations which influenced the (Statutory) Commission in favour of a strictly cautious advance." (See Para. 288, postscript).

CHAPTER IX.

THE NATIONAL STRUGGLE

174. DOMINION STATUS AS GOAL OF BRITISH POLICY

The failure of the Simon Commission in India had been notorious. Great demonstrations had been organised against the Commission at every important centre, except Peshawar, visited by that body in its tour round the country collecting evidence. The report of the Commission was issued in the beginning of July. The second volume, containing the scheme of reforms, had a most unfavourable reception from practically all Indian quarters. The proposals were generally condemned as inadequate; but the criticism of particular recommendations varied according to the respective points of view of the different communities. The Executive Board of the All-Parties Muslim Conference met at Simla on the 5th July, 1930, under the presidency of Maulana Shaukat Ali, adopted Raja Ghazaufar Ali Khan's resolution:

"The report of the Simon Commission as a whole is unacceptable to us because it falls short of our demands formulated by the All-Parties Muslim Conference in Delhi and because it is retrograde and reactionary in spirit."

The Muslim Nationalist met on the 20th July, at a Conference held at Lucknow, and exposed "the retrograde and reactionary character of the Simon Report." They asserted that

"the only way to focus attention to their grievances was by means of mass action. India had attained a status, the Conference asserted, which precluded her from being bullied into submission. No settlement would be acceptable to the country unless the Congress participated in it."

In spite of the best effort of the authorities, the boycott of the Commission by all progressive sections was complete. Lord Irwin had met the Congress leaders with a view to remove the *impasse*, and during his visit to England he took the opportunity to discuss the situation with leaders of all parties, and impressed upon them the need for an enlightened policy. On his return to India, wtih the full sympathetic support of the Labour Government, he made his historic statement outlining the plan of a Round Table Conference. In this

statement, dated the 31st October, 1929, he explained the underlying purpose of British policy in the following momentous words:

"The goal of British policy was stated in the declaration of August 1917, to be that of providing for the gradual development of self-governing institutions with a view to the progressive realisation of responsible Government in India as an integral part of the British Empire. As I recently pointed out my own instrument of instructions from the King Emperor expressly states that it is His Majesty's will and pleasure that the plans laid by the Parliament in 1919 should be the means by which British India may attain its due place among his Dominions. The ministers of the Crown, moreover, have more than once publicly declared that it is the desire of the British Government that India should in the fullness of time, take her place in the Empire in equal partnership with the Dominions. But in view of the doubts which have been expressed both in Great Britain and India regarding the interpretation to be placed on the intentions of the British Government in enacting the Statute of 1919, I am authorised on behalf of His Majesty's Government to state clearly that in their judgment it is implicit in the declaration of 1917 that THE NATURAL ISSUE OF INDIAN CONSTITUTIONAL PROGRESS, as therein contemplated IS THE ATTAINMENT OF DOMINION STATUS. . ."

175. PLAN OF ROUND TABLE CONFERENCE

His Excellency further outlined the procedure of affording to the Indian States an opportunity of finding their place, in the full realisation of this policy, when it was the object of His Majesty's Government to find the least approach to the British India's side of the problem

"when, therefore, the Commissions and the Indian Central Committee have submitted their reports, and these have been published, and when His Majesty's Government have been able, in consultation with the Government of India, to consider these matters in light of all the materials then available, they will propose to invite REPRESENTATIVES OF DIFFERENT PARTIES AND INTERESTS IN BRITISH INDIA and representatives of Indian States to meet them, separately or together as circumstances may demand, for the purpose of a conference and discussion in regard both to the British Indian and the All-Indian problems. It will be their earnest hope that by this means it may subsequently prove possible on these grave issues to submit proposals to Parliament which may command a wide measure of general assent."

His Excellency trusted that

"the action of His Majesty's Government may evoke response from and enlist the concurrence of all sections of opinion in India."

The moderate school of Indian politicians warmly welcomed

the offer of a Round Table Conference but the extremists indicated acceptance only if the Dominion Status was the agreed basis of discussion of the constitution to be evolved. The response which the important minority communities in North-West Frontier Province made to this appeal of His Excellency Lord Irwin, was that all opposition to the Reforms Scheme was withdrawn once the declared object of His Majesty's Government was known that this Province along with others throughout India, not overlooking the Indian States, would form parts of a "GREATER INDIA," in full enjoyment of a "DOMINION STATUS," in equal partnership with other Dominions under the symbol of unity in the British Crown. The author, as a private individual, advised his countrymen, especially his co-religionists, the Hindus, to avail themselves of the Round Table Conference scheme to place their views before the British public in England.

Response to Appeal.

The minority interests in this Province required the strengthening of the hands of the Executive authorities in this Province, to secure equitable treatment, and due protection against any communal aggression of the overwhelmingly dominant community: and practical political programme was being adopted for the country, suited to its existing needs as suggested by the greatest majority at the Round Table Conference.

Referring to the safeguarding of minority interests throughout India, I took occasion to observe in a Press statement, that

"the best way, in my humble judgment to obtain an adequate recognition of the special claims to protection, or advancement, and to secure a full measure of those civic rights which the community wishes to enjoy, is to request the local Government, by resolutions passed at organised public gatherings, to allow one or two representatives, to be elected by the Provincial Hindu Sabha, a seat or seats on the Round Table Conference so that they may express the particular claims and views of the important minorities in this Province".

The writer regrets to note that this suggestion was not accepted by the authorities: and no Hindu or Sikh representative from this Province was invited to the Round Table Conference. The only representative of North-West Frontier Province who attended the Round Table Conference was the Hon'ble Nawab Sir Sahibzada Abdul Qayum Khan, Kt. The writer had stated that

"responsible British statesmen give careful consideration to all representative opinions in any part of India; and surely this most important corner of the country, with its All-India importance is not likely to be neglected"

and I added that

"we should not feel charmed by the unpractical idea of independence of British rule at the present moment and the wisest thing is to adopt the Dominion Status firmly as the ultimate goal for political progress in this country."

This is still the creed of the Hindu-Sikh Nationalist Party under the new Reforms Scheme.

176. CONGRESS NON-PARTICIPATION IN ROUND TABLE CONFERENCE

The Indian National Congress had not participated in the plan for Round Table Conference, because they had passed a Resolution at the Calcutta Session, 1928, that they would see Dominion Status definitely prospected before the eyes of the next Lahore Session of the Congress, and in the course of Gandhi-Irwin talks at Delhi no settlement could be reached under this head. The Viceroy had explained that

"the London Conference was designed to elicit the greatest possible measure of agreement for the final proposals which it would be the duty of His Majesty's Government to submit to Parliament, and that it was impossible for the Viceroy or His Majesty's Government in any way to prejudge the action of the Conference or to restrict the liberty of the Parliament."

The Congress position was that there was no use meeting at the London Conference

"unless an assurance was forthcoming from the British Government that it would meet directly to draw up a scheme for a Dominion Constitution for India which the British Government would undertake to present to and support in the Parliament".

The Congress attitude was unbending, and the Liberals in India seemed satisfied with the October declaration of the Viceroy, followed by His Excellency's December conversations that the Government really meant to confer on India a very substantial advance towards Dominion Status. Pandit Motilal Nehru, as President of the Calcutta Congress, gave an admirable exposition of the then political situation, though certain passages in his speech seemed to be couched in too defiant a language, betraying his deep resentment of the latest wave of diehardism in Calcutta. He said,

"I am for Complete Independence—as complete as it can be—but I am not against full Dominion Status—as full as any Dominion possesses it today—*provided I get it before it loses all attraction.* I am for severance of British

connection as it subsists with us today, but I am not against it as it exists with the Dominions".

In the proviso above cited, he seemed to be visualizing the future when, under pressure of boycott of British goods, and the disturbance of commercial interests, the diehards of England will offer Dominion Status, but by that time the country's demand would have gone forward to Complete Independence or *Swaraj*, and the *grant* of Dominion Status in such a way would appear to have been *extorted*, and lose all its charm. India was wanting a genuine policy of *"self-realisation, self-development and self-fulfilment,"* and Mr. Motilal Nehru's speech seemed to contain a warning note to the British Government, based upon a statesmanlike appreciation of the then situation, with an accurate knowledge of the dangers ahead.

177. THE CONGRESS AT LAHORE, 1929

The 44th Session of the Lahore Congress was conspicuous by the passing of Mahatma Gandhi's Resolution for Complete Independence as the meaning of *Swaraj* for the purposes of the Congress creed, and for complete boycott of the Legislatures as a preliminary step towards organising a campaign for Independence. At its previous session held at Calcutta it was resolved to vote for Independence if Dominion Status was not granted before the end of the year. The text of the Resolution is as follows :

Mahatma Gandhi's Resolution.

"The Congress endorses the action of the working committee in connection with the manifesto signed by party leaders, including Congressmen, on the Viceregal pronouncement of the 31st October relating to Dominion Status and appreciate the efforts of the Viceroy towards the settlement of the National movement for Swaraj. The Congress, however. having considered all that has since happened, and the result of the meeting amongst Mahatma Gandhi, Pandit Motilal Nehru, and other leaders and the Viceroy, is of opinion that nothing is to be gained in the existing circumstances by the Congress being represented at the proposed Round Table Conference. This Congress therefore in pursuance of the Resolution passed at its Session at Calcutta last year declares that the word *"Swaraj"* in Art. I. of the Congress constitution shall mean COMPLETE INDEPENDENCE and further declares the entire scheme of the Nehru Committee's report to have lapsed and hopes that all Congressmen will henceforth devote their exclusive attention to the attainment of Complete Independence for India. As a preliminary step towards organising a campaign for Independence and in order to make the Congress

policy as consistent as possible with the change of creed, this Congress resolves upon complete boycott of the Central and Provincial Legislatures and Committees constituted by the Government and calls upon the Congressmen and others taking part in the National movement to abstain from participating, directly or indirectly, in future elections, and directs the present Congress members of the Legislatures and Committees to resign their seats. This Congress appeals to the Nation zealously to prosecute the constructive programme of the Congress and authorises the All-India Congress Committee, wherever it deems fit, to launch upon a programme of Civil Disobedience, including non-payment of taxes, whether in selected areas or otherwise and under such safeguards as it may consider necessary."

The Resolution may be divided into three parts, one dealing with the past happenings, the other with the duty of Congressmen at present and the third with their programme in future. Pandit Motilal Nehru appealed for adoption of the Resolution in the given form. He explained that as the talk of Dominion Status and Round Table Conference had ended the Congress Resolution declared Independence as the goal as the only alternative left. Dealing with the boycott of Councils, Pandit Motilal confessed that their attention had been diverted from their real goal by joining the Councils. Indeed, the Government had entrapped most public workers in one committee or other. And they had failed to achieve the object which they hoped to. Moreover, if they were declaring Independence as the creed, then going into the Councils would be entirely inconsistent with that creed. The third part of the Resolution empowered the All-India Congress Committee to launch on further steps of the campaign which could all be taken in 1930, if the country wholeheartedly helped it forward. He exhorted the Congress to accept the Resolution, without which there was no other course left for work for freedom.

Pandit Motilal's Appeal.

178. AMENDMENTS TO THE RESOLUTION

PANDIT MALAVIYA moved an amendment for postponing the change in the creed till after an All-Parties Conference in March or April 1930. Mr. KELKAR moved his amendment to delete the words in the Resolution relating to the boycott of Legislatures, which he thought was politically unwise. Mr. S. C. BOSE'S counter-proposition was that *Swaraj* in Congress creed means full Independence implying thereby complete severance of British connection. Dr. ALAM objected to the appreciative reference to Viceroy

" because on the day they were handing down to posterity the charter of liberty, the same Resolution should not bear the trace of slavery ".

There were other amendments, one of Mr. H. O. RAJA (Madras) that besides Civil Disobedience, the Congress should organise labour in order to bring about a general strike. He was greeted by shouts of "No; Go Back." Mr. MADHAVAN NAIR (Kerala) moved for the elimination of the boycott of the Legislatures: Mr. GOVINDACHAR (Andhra) moved for the boycott of Law Courts besides the Legislatures as it was dishonest and inconsistent to boycott only the Legislatures. Mr. SATYAMURTHI moved an amendment to omit the words indicative of non-co-operation with the proposed Round Table Conference and the boycott of Legislatures. Mr. PRAKASAM moved an amendment to postpone the change of creed, boycott of Legislatures and the starting of Civil Disobedience. Mr. ANEY proposed the postponement of the question of change of creed to a special session of the Congress, and moved an amendment permitting participation in Round Table Conference. MAULANA ZAFAR ALI moved an amendment which proposed to remove the preamble and to set up arbitration courts to administer justice in the place of law courts, and asked the Congress definitely to take upon itself the duty of organising labour and peasants. Mr. ABHYANKAR supported Dr. Alam's amendment: Mr. SEN GUPTA SUPPORTED M. GANDHI'S RESOLUTION ALSO MR. JAMNA DAS MEHTA. M. Gandhi replied to the debate and the result was that all amendments were rejected by the Congress: and M. Gandhi's Resolution when put to vote was declared carried with only a dozen voting against it, out of about 1,500 delegates. The result of the poll on the Resolution relating to bomb outrage on the Viceroy, and the amendment objecting to an appreciation reference to the Viceroy was very largely a victory of Mahatma, and defeat of both the motions against the Viceroy. Thus both Resolutions of M. Gandhi were passed without any alteration at midnight of 31st December 1929, Pt. Jawaharlal, as President of the Congress, then wished the Congressmen a happy New Year and wished them all AN INDEPENDENT INDIA.

This account is necessary to explain the basic difference in the position of the Hindu and Sikh minority communities in the North-West Frontier Province who have not yet adopted the Congress creed, but are declaring Swaraj (Dominion Status) as the goal of political progress.

179. INDIA'S CRY FOR INDEPENDENCE

Pt. Jawaharlal Nehru, the President at the Lahore Congress, when closing the 1929 Session observed:

"India's cry for Independence has already resounded in all parts of the world and has enabled overseas Indians to raise their heads high. The history of the world taught that it was not the flock of sheep that won freedom but bands of disciplined and determined men".

The working committee of the Congress, purged of those members who belonged to the group which had voted against the Mahatma's Independence Resolution. held its first sitting in January 1930, and passed a resolution fixing Sunday, the 26th of January 1930, for a country-wide demonstration supporting the creeds—the creed of *"Purna Swaraj"* or Complete Independence. This became the creed of the Congress section of Hindus and Moslems in N.-W. F. Province: and this is what is being preached as part of the Congress programme to the masses. The Nationalist Moslem party's view was that

"the Mussalmans owe it to their motherland to respond to the historic call of the Congress and join it with cheerful determination to see the National struggle through".

Many Mohammedans accepting the Independence creed joined the Congress propaganda, and took part in the struggle for National freedom which started in the early months of 1930, in N.-W. F. Province as elsewhere throughout India. Report from different centres all over the country showed that the Independence day had been magnificently celebrated by Congressmen and Nationalist Muslim groups, and in the words of Pt. Jawaharlal Nehru, in the statement issued to the Press,

"towns and villages vied with each other in showing their enthusiastic adherence to Independence".

The National tri-colour flag had been hoisted as the symbol of *"the freedom of the masses of India from exploitation."* This National flag as a symbol of National honour, is adopted as such not only by the Left Wing voting for Complete Independence, but by the Centre Wing voting for Dominion Status with the right to secede, and also by the Right Wing voting for Dominion Status with hedges and safeguards.

The National Tri-Colour Flag.

Owing to the peculiar conditions of this Province there was not much of Independence day celebrations in Peshawar or other places

on the Frontier. The moderate politicians up here wanted to unite the different communities and classes, on the Dominion Status for India, not as a distant goal or ideal, but as an object capable of achievement within the shortest possible time: In March 1930, after the Mahatma's ultimatum to the Viceroy his historic march and all-India preparations for non-violent Civil Disobedience commenced, which undoubtedly affected the immature youth of N.-W. F. Province, both Hindus and Moslems.

180. "THE PURNA SWARAJYA DAY"

In connection with the celebration of January 26th as "Purna Swarajya" day throughout India by the Congress, Pandit Jawaharlal Nehru, the Congress President, had instructed all Provincial Committees that they should arrange to get the following Resolution of the Working Committee translated into their respective Provincial languages, and distribute it widely throughout the Provinces. The President also asked that this Resolution should be read at and explained to the meeting proposed to be held in connection with these celebrations, and that those present should be asked to signify their assent to it by a show of hands.

The Resolution ran as follows:—

"We believe that it is the inalienable right of the Indian people, as of any other people, to have freedom to enjoy the full fruit of their toil, and have the necessities of life, so that they may have full opportunities of growth. We believe also that, if any Government deprives the people of these rights and oppresses them, the people have the further right to alter it or to abolish it.

"The British Government in India has not only deprived the Indian people of their freedom, but has debased it economically, politically, culturally and spiritually. We believe that India must sever the British connection, and attain *Purna Swaraj* or Complete Independence.

India's debasement.

"India has been ruined economically. The revenue derived from our people "is out of all proportion to our income, our average income is 7 pies per day." Of the heavy taxes we pay, 20% is raised from the land revenue derived from the peasantry, and 3% from the salt tax, which falls, most heavily on the poor. Village industries, such as hand-spinning, have been destroyed, leaving the peasantry idle for at least four months in the year and dulling their intellect for want of handicrafts. Nothing has been substituted, as in other countries, for crafts thus destroyed.

"The custom and currency have been so manipulated as to heap further burdens on the peasantry. The British manufactured goods constitute the bulk of our imports. The customs duties betray a clear partiality for the British

manufactures, and the revenue from them is used not to lessen the burden on the masses, but for sustaining a highly extravagant administration. Still more arbitrary has been the manipulation of the exchange ratio, which has resulted in millions being drained from the country.

"Politically, India's status has never been so reduced as under the British regime. No reforms have given real political power to the people. The tallest of us have to bend before foreign authority. The rights of free expression of opinion and free association have been denied to us, and many of our countrymen are compelled to live in exile abroad, and cannot return to their homes. All administrative talent is killed, and the masses have to be satisfied with petty village offices, and clerkships.

Political.

"Culturally, the system of education has torn us from our moorings and our training has made us hug the very chains that bind us spiritually. Compulsory disarmament has made us unmanly, and the presence of our alien army of occupation, employed with deadly effect to crush in us the spirit of resistance, has made us think that we cannot look after ourselves, or put a defence against foreign aggression or even defend our homes and families from the attacks of thieves and robbers and miscreants.

"We hold it to be a crime against man and God to submit any longer to the rule that has caused this disaster to our country. We recognise, however, that the most effective way of gaining our freedom is not through violence. We will, therefore, prepare ourselves by withdrawing, so far as we can, all voluntary associations from the British Government, and will prepare for Civil Disobedience, including non-payment of taxes.

The Mandate.

"We are convinced that if we can but withdraw our voluntary help, and stop the payment of taxes without doing violence, even under provocation, the end of this inhuman rule is assured. We, therefore, hereby solemnly resolve to carry out the Congress instructions issued from time to time for the purpose of establishing *Purna Swaraj*."

181. THE PESHAWAR RIOT, 1930

In the beginning of April M. Gandhi was convicted under Salt Act, and this was followed by arrests and convictions of other *Satyagrahis* all over the country. Police raids on Congress houses, and beatings in some cases had occurred: Pandit Jawaharlal was arrested about the middle of April: and this was followed by other numerous arrests in different places. The policy of repression had been started by the Government: there were disturbances leading to police firing in some towns, like Poona, Calcutta, Karachi, and there was the Chittagong Armoury raid, followed by Bengal Ordinance again: and mass Civil Disobedience in Karachi: Later there was police firing at Madras.

Towards the end of April 1930, there was a riot at Peshawar which continued for the next few days, and during the course of which Peshawar was the scene of military firing on a large crowd resulting in the death of many. A non-official enquiry was held under Mr. V. J. Patel sitting at Rawalpindi, but its report was put under a ban by the Government. The official version issued in a *communique* was as follows:

"For seven months past agitators belonging to the Congress, and Naujawan Bharat Sabha have been attempting to promote unrest in N.-W. F Province, partly through preparations for a Civil Disobedience movement, and partly by exploitation of local grievances. Regardless of the fact that the Congress party, as a whole, were among the most enthusiastic supporters of the Sarda Act in the Legislative Assembly, Congress workers in the N.-W. F. Province, in their attempts to sow dissensions between the Government and the people, have done their utmost to misrepresent its objects and provisions, and to hold it up as an oppressive law passed by the Government, although the social evil which the Act is designed to remove, namely, the consummation of marriages before puberty, is believed to be non-existent in the N.-W. F. Province. These agitators have not hesitated to instil into the minds of the population of that Province, the belief that the Act is designed to offend their religious beliefs, and their social customs". "Side by side with the appeal to religious passions, the members of the Naujawan Bharat Sabha have attempted to disseminate communist doctrines in the villages of the Peshawar district. In order to protect the people of the Province from the consequences of an agitation which was beginning to produce dangerous effects the local Government decided to arrest, on April 23rd certain leaders of the Congress and youth movements who composed the local so-called "War Council", and who were directing the Civil Disobedience movement. Nine of the eleven persons against whom a warrant had been issued were arrested, without disorder, but the other two are said to have been forcibly rescued by a mob from police custody. The matter was at once reported to the Deputy Commissioner who proceeded in his own car towards the Kabuli-gate of the city being accompanied by three armoured-cars. On the way, he was informed that the two prisoners had given themselves up, and he thereupon ordered the armoured-cars to remain behind and proceeded, without escort, towards the Kabuli-gate. He was met by the Assistant Superintendent of Police, who reported that a very violent crowd was near the Kabuli-gate, and that the police were unable to deal with the situation. The Assistant Superintendent of Police had himself been injured by a brick-bat thrown by one of the crowd". "The Deputy Commissioner then called up the armoured-cars, and proceeded in his own car to within about 200 yards of the Kabuli-gate, where the reserve police were drawn up faced by a crowd in a state of high excitement. One of the leaders was armed with an axe, and many members of the crowd were armed with bricks. The Deputy Commissioner entered the leading armoured-car, and passed through the gate the crowd giving way to the car, but pelting it with sticks and stones.

As it passed the inside gate an ASSISTANT SUPERINTENDENT OF POLICE WAS BEING ATTACKED WITH BRICK-BATS. The armoured-car in which the Deputy Commissioner was seated continued at a slow pace along the bazar, and then having turned, went back towards the Kabuli-gate. There the second armoured-car was at a stand still with a DESPATCH RIDER UNDER THE WHEELS. The man, it is alleged, had been knocked off his bicycle by a blow on the head dealt by a member of the crowd, and the ARMOURED CAR HAD THEN RUN OVER HIM. The same car, in the confusion, had also run over one or perhaps two persons in the crowd, whose excitement had been increased by the accident.

Armoured Car's Rush Through Crowd.

"The Deputy Commissioner got out of the armoured-car in order to confer with the police officers, and persuade the crowd to disperse. When he was attempting to argue with the rioters, he was assaulted with stones and brick-bats. In the meantime, a military officer belonging to an armoured-car was attacked by a rioter who tried to wrest his pistol from him. At the same time, the mob pressed forward and forced the police up the steps of the police station. The Deputy Commissioner and the Superintendent of Police still made endeavours to appease the crowd and persuade them to disperse peacefully. But THE DEPUTY COMMISSIONER WAS KNOCKED SENSELESS BY A BRICK THROWN BY ONE OF THE CROWD, and was carried inside the police station, where police officers and men had also to retire.

The Casualties on the Government Side.

"Meanwhile, the crowd attacked the armoured-cars and set fire to one of them, thus forcing the crowd to descend. One member of the crowd who attempted to take refuge in the second car was attacked by a rioter with a crowbar, and escaped only by firing his revolver. The second armoured-car was under heavy attack by rioters armed with hatchets, crowbars and stones, and it was at this stage that the Deputy Commissioner who had recovered consciousness, authorised the crew to fire. Fire was opened in short bursts, and the mob immediately fled". . . .

Mob attack on Armoured Cars.

"Subsequently, sporadic rioting occurred during the day at different points in the city, and all attempts failed to pacify the mob. Reports show that throughout the day, firing by the troops and the police was withheld until the last possible moment and on several occasions a hand-to-hand struggle was in progress between them and the crowd before the order was given to fire. Fire was restricted to the minimum, and was well-controlled, the number of shots fired in all being 109 only".

182. BLAME OF OCCURRENCE THROWN ON CONGRESS AND NAUJAWAN SABHA

"In view of the propagation of deliberate misstatements by interested persons in regard to the origin and nature of the riot, the Government of India desired to invite attention to certain features". "The firing was not unprovoked

and excessive". "The deathroll among the rioters was believed to be about 20, in addition some 30 wounded received medical treatment in the Government and Mission Hospitals". "In addition there were doubtless some cases of injured who were unwilling to go to Hospitals". . . "There was no truth whatever in the rumours that the number of casualties was greatly in excess of the official estimate...." "On the 23rd April, attempts were made to create disorder at Charsadda in connection with the arrest of certain local agitators..." "Subsequent to the events of the 23rd no firing had taken place at Peshawar..."

Revolutionary Propaganda.

"The members of the Congress and Naujawan Sabha organisations had however carried on active revolutionary propaganda in the city and in the villages of the Peshawar district, and had made attempts to influence some of the trans-border tribes against the British Governments. . ."

"They had been engaged in fomenting open rebellion against the Government as by law established and the local Government, with the full approval of the Government of India, had declared them to be unlawful associations under the provisions of the Criminal Law Amendment Act of 1908...On the 4th May, the necessary measures were taken to carry out the arrests of certain persons inside the Peshawar city. There was not a single shot fired, and the Government had received no information of any untoward incident. The military were acting in support of the civil authorities who remained in charge of the situation, but the presence of the troops, enabled the police to carry out their function which for some days they had been unable fully to perform. The Government were confident that with the collapse of the revolutionary conspiracy, the friendly relations between them and the people would continue unimpaired".

The conclusion reached by the Government was that

"the Congress and Naujawan Bharat Sabha organisations had shown, in their anxiety to injure the Government, a complete disregard of the dangers to the rest of India arising from their vain and criminal attempts to stir up trouble on the Frontier and to embroil the Mohammedans in a movement opposed to their true interests."

As a result of this riot, Press Censorship was imposed on newspapers on the 30th April.

183. MUSLIM PARTICIPATION IN NATIONAL STRUGGLE

In the beginning of May, the Congress Committee in Peshawar was declared unlawful association by the Chief Commissioner. On the 4th May, Mahatma Gandhi was arrested under Regulation XXV of 1827 and confined in Yerwada Jail. On the 5th May, sensation prevailed in Peshawar when the people were surprised to find the city surrounded by military with numerous pickets on all strategic positions and at exits and narrow lanes to main bazars in connection with arrest of Congress and Naujawan Bharat Sabha leaders. The

whole day the police were seen busy making arrests. On the 7th May, the Jamait-ul-Ulemas gave their *fatwa,* at the Amrona session after three days, strenuous discussion on the question whether Muslims should participate in the struggle for Independence initiated by the Indian National Congress. The *fatwa* declared that Complete Independence, which the Congress had adopted as its political goal at its Lahore session, had been since long the creed of Jamait-ul-Ulema Hind: The Nehru report which had been strongly opposed by the Jamait-ul-Ulemas had been nullified by the Congress: and it had been resolved that no constitution will be acceptable to the Congress unless it gives full satisfaction to all the minorities concerned. Under the circumstances, there was no reason why the Muslims should keep themselves aloof from the Congress. The Sarda Act was considered "an open interference with Islam"; and "an outrage upon the Islamic personal law", and the Government was blamed for not exempting Muslims from it "in spite of widespread agitation and protest": and they held

"that complete freedom of the country and the nation from British Dominion was the only means to put a stop to all this mischief and to safeguard the honour of Islam."

On the 8th May, Dr. Alam and Zaffar Ali Khan were convicted on charges of sedition by the A. D. M. of Lahore. On the 10th May, there was no tax campaign in Bardoli declared by Mr. Abbas Tyabji, Mahatma Gandhi's successor, and he was arrested on the 12th of May.

184. SATYAGRAHA MOVEMENT IN INDIA

As noticed in last paragraph, Mahatma Gandhi's arrest and confinement in Yerwada Jail, was the cause of sensation throughout India, and there were *Hartals* all over the country on the 6th of May. The *Jamait-ul-Ulema's* pronouncement, half suspicious of Congress movement benefiting the Moslem minorities was wholehearted in support of the boycott of British goods, especially British cloth, which greatly benefited village industries and Mohammedan weavers, and the picketing of liquor shops on religious grounds. The Bombay *Desh Sevika Sangha* who were carrying on an intensive picketing of foreign cloth shops in Bombay market issued an all-India appeal to the women of India

"to liberate their brave brothers rotting in Jails." "If they really felt for the suffering of their country let them come in their thousands and stop the indignity of foeign cloth in our motherland."

The convictions of Mr. Abbas Tayabji and his volunteers in batch after batch, notwithstanding, hundreds of maunds of illicit salt were removed by the Satyagrahis in token of " Civil Disobedience ", or "war of Independence", by non-violent non-co-operation methods of M. Gandhi.

CHAPTER X.

THE ROUND TABLE CONFERENCE

185. VICEROY'S ANNOUNCEMENT ON ROUND TABLE CONFERENCE

On the 12th May 1930, the Viceroy referring to his statement dated the 1st November, about "the natural issue of India's constitutional progress" as contemplated in the declaration of 1917, being "the attainment of Dominion Status", mentioned with regret "that anybody of Indian opinion should have rejected the offer of His Majesty's Government". With reference to the Civil Disobedience movement, His Excellency regretted

Constitutional Progress.

"a course of action which was clearly bound to involve a violation of law, and a danger to public peace" and made it plain that while firmly desiring "to do every thing possible for conciliation in order that Great Britain and India might collaborate together in finding a solution of the present difficulties", "it was no less incumbent upon the Viceroy and the Government of India to discharge to the full, their responsibility for effective maintenance of the law's authority and for the preservation of peace and order".

This was exactly what the Viceroy had stated in the Assembly speech on the 25th January, referring to the Congress Resolution on Independence and Civil Disobedience. His Excellency referred "to ominous tales of mob violence, of armed and murderous raids, and of general defiance of authority", from different quarters including Peshawar, and mentioned further contemplated measures for ensuring "respect for constituted authority", which were "designed to meet an emergency".

The British purpose, however, remained unchanged and the Government was determined to abide by the policy of Dominion Status as the goal of India's political advance along constitutional lines. He therefore announced that "steps were being actively taken to arrange for assembling in London of representatives at the Conference there contemplated" about the time of the Imperial Conference on or about the 20th October. He sounded "a more

The Policy of Dominion Status.

Round Table Conference Assembly.

personal note" that calm and dispassionate consideration of facts was required for the commencement of constructive work to meet India's widespread desire to see real political advance, and His Excellency had

Personal Note for Commencement of Constructive Work.

"learnt to love India too well to relax any effort to assist what he holds to be the natural and true development of India's political life."

His Excellency hinted that

"SUCH DEVELOPMENT DEPENDED UPON THE SOLUTION OF REAL PROBLEMS AMONG WHICH THERE IS NONE MORE IMPORTANT THAN THAT WHICH AFFECTS THE FUTURE POSITION OF MINORITIES."

The Future Position of Minorities.

186. NON-CO-OPERATION BY CONGRESS

Many politicians of moderate school nominated to the Round Table Conference accepted the Government's invitation, but it could not be a success unless the Congress was prepared to join in the deliberations of the Conference. The Congress which alone could deliver the goods had not participated. After the Lahore session of the Congress, with the declaration of Independence as the goal of India's political progress, the situation was complicated as the Government viewed the Congress demands in an unfriendly light: and the Congress taking up the challenge courted suffering in the cause of India's liberty, and there was no co-operation between the two which was desired by Lord Irwin, for the constructive evolution of India's future. The Congress was blamed by the Government for starting unconstitutional and revolutionary methods which could not be tolerated in the interests of law and order. Dominion Status could not be granted until the minority problem, and other difficult Indian problems had been satisfactorily solved at the Round Table Conference. The Congress blamed the Government for its repressive policy, and high-handed police action, and Martial Law and other Ordinances, and wanted a complete change of heart before the Congress could be persuaded to join in any progress. The whole thing was moving in a vicious circle, and an *impasse* was thus reached and the Rt. Hon'ble Mr. Sastri suggested that three steps were required to save India:

Mr. Sastri's Suggestions.

"Release Mahatma Gandhi : proclaim general amnesty, and give a guarantee that India would be given Dominion Status at the earliest opportunity."

The National Council of the Independent Labour Party at a meeting in London, held on the 6th July 1930, passed a Resolution condemning the repressive policy of the Government of India, recognising the right of Indian people to Self-Government and Independence and calling on the Labour Government to release the political prisoners in India and negotiate settlement with the Indian representatives on the basis of full responsible Government.

187. VICEROY'S OUTLINE OF LONDON CONFERENCE

On the 9th July 1930, Lord Irwin addressing a joint session of the Council of State and the Legislative Assembly outlined the object of the Round Table Conference to be held in London:

"It is the belief of His Majesty's Government," said the Viceroy, "that by way of conference it should be possible to reach solutions that both countries and all parties and interests in them can honourably accept and any such agreement at which the Conference is able to arrive, will form the basis of the proposals which His Majesty's Government will later submit to Parliament."

His Excellency also assured that the declaration of the pledge of Dominion Status as the goal stood as before; while the Congress was blamed for its unconstitutional activities, requiring to be dealt with under repressive measures. The language used was harsh and severe, but the offer enabling the Congress to participate in the Round Table Conference stood, although the Conference would be held even if the Congress did not join in it. This declaration of the Viceroy was supported in the House of Commons by Mr. Wedgewood Benn, in reply to Mr. Lloyd George's call for an explanation. He said:

"The Montagu policy stands as a cardinal article of faith in British policy towards India": "that the Viceroy as peace-maker, knowing that doubts existed if this policy stood, had thought it necessary to remove those doubts by issuing a clear declaration of existing policy."

The Secretary of State referring to the Round Table Conference observed:

"Representative Indians will now have the opportunity of coming forward and expounding their views, and pressing their solutions supported by all the arguments and all the convictions which they can bring to bear. They will have direct access and their views will be heard and considered, not at some remote stage when the opinion of the Cabinet is already declared but a stage when every thing they say will be heard with an open mind".

188. KING'S SOLICITUDE FOR INDIA

On the 8th July 1930, the King-Emperor, in opening the India House said

"that His Majesty had watched with anxious heart the troublous passage of events in India. There had been many changes and some dark days, but His Majesty rejoiced to think that through them all, the country had steadily advanced to an assured place among the great peoples of the earth". "The position of India House," said His Majesty, "symbolises the unity of a greater Commonwealth of which she is a part".

On the 2nd August, 1930, in the King's speech on the provocation of Parliament, reference was made to Indian political conditions:

"During the session the commission appointed by me in pursuance of the Government of India Act completed their arduous duty, and submitted to me their report, which has been presented to both of your Houses. My Government will shortly be approaching the task of framing and submitting for your consideration proposals for the future Government of India. For guidance in this matter it is their intention to summon into a Conference in London representatives of a wide variety of interests in India. I earnestly pray that a spirit of mutual trust and friendship may unite all the races and creeds in India and representatives of both countries in their discharge of the responsibilities which the Conference will impose upon them and I am confident that the single purpose of promoting the welfare of my Indian people will be the inspiration of every member of the Conference."

189. THE BOYCOTT MOVEMENT AND ITS CONSEQUENCES

The boycott movement had left Indian trade with British Isles, in a very depressed state, and the police excesses and communal disturbances had brought about a very sad state of affairs in India. The *Statesman* wrote in its issue of the 9th July, 1930, the following:

"The conditions at home are still in a very depressed state, and it would appear from cable advices received this week that almost every dhootie-manufacturer has stopped productions in the absence of any orders from this side....no producers were available....Everybody admits the gravity of the situation, and all classes of traders are seriously affected by the prevailing stagnation. It is unthinkable that the hard-headed men of Lancashire cannot help to find a way out of the *impasse*".

The Muslim Nationalists exposed the retrograde and reactionary character of the Simon report: and political prisoners' day was being celebrated in the country. There was mass picketing at Lahore and Surat, on one side: and arrests and convictions, and raids on the other. Repression was going strong everywhere, also seizures of presses and removal of National Flags, and Lathi charges, against

men and women who had taken part in public demonstrations of Civil Disobedience. The Working Committee members of the Congress were rounded up: Congress committees and allied organisations had been declared as unlawful assemblies and police-firing had occurred at several places, on mass picketings or processions held in defiance of police orders.

190. MARTIAL LAW IN N.-W. F. PROVINCE

In August 1930, His Excellency the Viceroy and Governor-General issued an Ordinance to provide for the proclamation of Martial Law, to empower the authorities to make regulations for administering it, and to provide for other matters connected therewith. This Ordinance, called the MARTIAL ORDINANCE OF 1930, extended to the districts of Peshawar of the N.-W. F. Province, and any area in the Frontier Province. The proclamation and enforcement of Martial Law came into force at once in the Peshawar district: the provisions regarding special courts were to come in force in the said district on such dates as may be appointed in the notification. The Congress associations were being declared unlawful, and their activities curtailed. There were some bomb and shooting attempts on police officers; and the All-India Congress Committee was declared unlawful. The European associations in the country were advising the Government to deal firmly with seditious propaganda, asking the repeal of Government of India Act, 1919; and demanding the reintroduction of the Morley-Minto Reforms of 1909: Elsewhere in the country there was a heavy toll of Ordinances. Numerous arrests and convictions had taken place under the Bengal Criminal Law Amendment Ordinance (I of 1930); the Indian Press Ordinance, 1930 (IV of 1930); the Prevention of Intimidation Ordinance of 1930: and the unlawful Instigation Ordinance, Bombay.

191. FAILURE OF MOVE FOR PEACE

In this state of affairs, a peace move originated in a meeting of the Nationalist Independent and Swaraj parties in the assembly. They had authorised their Chairman Mr. Jayakar to take such steps as he may think necessary so as to bring about an amicable settlement of the *impasse* in the political situation in India. Questions had been put in the House of Commons if the wearing of Gandhi cap

could endanger British administration in India, and should be met by official prohibitions. The heavy toll of Ordinances was seriously questioned in the Council of State. The police-firing on mobs was made the occasion of attacks on British policy of meeting the Indian unrest due to the demand of political rights and privileges. The Sapru-Jayakar peace mission commenced its operation towards the end of July 1930. The Viceroy made the way easy for peace-makers to open and conduct the negotiations, by making the incarcerated leaders to meet and confer with each other. But the time was not yet: and the different viewpoints of the Government, and the Congress leaders, as disclosed by the correspondence, could not be reconciled. The negotiations finally failed on the 5th of September, after an hour's Conference with M. Gandhi. The situation became worse just before the inauguration of the Round Table Conference, In the beginning of October Mrs. Motilal Nehru was convicted and sentenced as a Congress propagandist: Moradabad Congress office was raided; there was lathi-charge at Roorkee, the Lahore conspiracy case judgments were delivered, with capital punishment awarded to Bhagat Singh, Sukhdev and Rajguru, and transportations for life to seven others: In October again the Congress Committees at U.P., Kolaba, Bombay, Cawnpore, Surat, Bihar and Orissa were declared unlawful; and His Excellency the Viceroy promulgated the unlawful associations Ordinance No. IX of 1930, to make further provision against associations dangerous to the public peace. There were arrests and convictions of the members of the Bombay "war council"; and of the President of the Jamiat-ul-Ulema-i-Hind; and of Pandit Jawaharlal Nehru; Pandits Krishna Kant and Govind Malaviya: General Secretary and Mr. J. M. Sen Gupta, Acting Congress President. The police occupied Bombay Congress House, and the Swaraj Bhawan, Allahabal, and the Benares Congress office was raided. The Congress procession at Delhi was dispersed and Mrs. Sen Gupta arrested. There was heavy lathi-charge by police at the Flag Salutation Ceremony at Bombay. On the other hand, Bombay celebrated Gandhiji's birthday in a most imposing procession of women beating all records. The Lahore Police Superintendent was shot at and there was trouble in Faridpur jail caused by political prisoners attack against Warder on duty. The Indian Labour Party's conference in England extended "greetings of solidarity to Indian people in their

struggle for political and economic freedom". A public meeting at Exeter Hall under the auspices of the London Branch of the Congress expressed its support of Independence for India, and contemptuously rejected the Round Table Conference, and repudiated those participating in it as betrayers of the National Cause.

192. VICEROY'S REVIEW OF POLITICAL SITUATION

In the course of a lengthy speech at the Simla Farewell Banquet on the 29th October, 1930, His Excellency Lord Irwin characterised the Congress refusal to participate in the forthcoming Round Table Conference as "a great betrayal", by that body, "of a tragic lack of foresight and bankruptcy of statesmanship". The demands put forward by the Congress during the peace negotiations were, according to the Viceroy, "amounting to a total and blank refusal to face facts", on the part of the leaders who "had assumed a heavy responsibility, for which history will not assuredly hold them guiltless". He deplored the spirit of defiance that was manifest throughout the whole country, and for the then economic crisis, trade depression and similar sorts of evils, held the Congress responsible. He also spoke at the length of the Civil Disobedience movement, and said

Non-Violent Civil Dis-obedience Condemned.

"If ever there was phrase by which those who first employed it unconsciously sought to deceive themselves and others into blind disregard of their action, that phrase is non-violent Civil Disobedience".

193. THE WOMEN MOVEMENT

In July 1930, there was a ladies demonstration before the Assembly Chamber at Simla, when His Excellency the Viceroy came to address the Assembly. There was Satyagraha offered at Calcutta by the ladies who squatted on the road, and in spite of the police cordon round the group, the ladies did not budge an inch for over 8 hours. In August, several ladies were convicted at Delhi under the Picketing Ordinance; and in September there was picketing by ladies at Bombay Council election. In November 1930, the Bombay women condemned police methods. They represented all classes, castes, creeds and communities in the city. The Bombay city police had arrested and taken to the lock-up, ladies doing their duty as pickets. There was a general *hartal* in the city as a protest against the arrest of the ladies. The Bombay Corporation passed a Resolu-

tion demanding disciplinary action against the defaulting officers whose behaviour towards the women volunteers was characterized as "unbecoming and unlawful." Later a mammoth gathering, presided over by an ex-Mayor, strongly condemned the act of the police, "as an insult to Indian womanhood, and in defiance of decent civilised behaviour". A lady "Dictator" of a Satyagraha camp was arrested, convicted and sentenced to eight months imprisonment, and fine. In Allahabad, Miss Krishna Kumari Nehru and Miss Shyam Kumari Nehru were arrested on a charge of being members of an unlawful assembly in connection with "Jawahir Lal Week" procession, and were sentenced to pay a fine of Rs. 50 in default to undergo a month's simple imprisonment. Srimati Parvati Devi, daughter of the late Lala Lajpat Rai, and another prominent woman Congress worker of Lahore, were sentenced to undergo six months' imprisonment each for refusing to furnish a heavy security of Rs. 10,000 each for good behaviour, as persons disseminating seditious literature. The "Dictator" of the Gujarat Provincial Congress Committee, and Miss Khurshed Ben Naoroji, the grand-daughter of Dadabhai Naoroji, and others were arrested on a charge of publishing the "Jawahir Lal Day" programme in Bombay. Lady volunteers were arrested in Delhi while picketing liquor shop, or taking part in processions declared unlawful.

194. KING OPENS THE ROUND TABLE CONFERENCE

In a tense atmosphere then prevailing of thousands of arrests, and convictions; of brisk picketing and long processions; of cruel police firings, and lathi-charges; of unfortunate riots, and anarchist outrages; of demonstration of Congress flag, and promulgation of ordinances; of boycotting of British goods, and no-tax campaigns; of deeds of violence and terrorism: as also of deeds of bravery, and sacrifice; of diplomacy and propaganda; of the use and abuse of press and platform; in short under the existence of a very widespread National commotion. His Majesty the King-Emperor was pleased to open the Round Table Conference on the 12th November, 1930.

"For the first time in the history of the British connection with India, the King of England presided over a Conference as King-Emperor of India, and gave royal blessings to the historic gathering called upon to deal with a momentous problem. The scene of the first meeting of the Conference, of profound import

to Indo-British relations, was set in the Royal gallery of the House of Lords and was attended with stately splendour in which the Sovereign was the central figure. The historic hall was packed to its utmost capacity, all available space outside the area reserved for the delegates themselves being crowded with notabilities, British and Indian, in all walks of life".

The Conference consisted of members nominated and selected by the Government, but was a fairly representative one, except that the Congress had not participated. A *hartal* was observed throughout India on this day as a protest against the Conference. The Calcutta Corporation condemned the Round Table Conference, "having regard to the circumstances under which it was constituted and its entirely unrepresentative character".

195. CHURCHILL ON INDIAN SITUATION

A month later Mr. Churchill reminded the British nation of the grave danger in India. He said

"If instead of raising alluring hopes of speedy Dominion Status, we had concentrated on practical steps to advance material condition of Indian masses, if the Congress at Lahore which burned the Union Jack had been broken up, its leaders deported, if Gandhi had been arrested and tried immediately he broke law, there would have been no necessity for the immense series of penal measures which had been taken".

Further, he said that the delegates from India had no power to pledge the Indian Congress party to sincere acceptance of any agreement.

"Any concessions to which the socialist Government committed itself would only be used as a starting point for new demands by the revolutionaries. The truth was that Gandhism and all that it stood for must sooner or later be grappled with and finally crushed. It was useless to satisfy the tiger by feeding him on cat's meal".

196. VICEROY'S ATTACK ON CONGRESS MOVEMENT

In December, 1930, His Excellency the Viceroy, addressing the associated Chambers of Commerce, observed that

"the hard times we have been having in India are in their origin, due to world-wide causes. But in saying that, I by no means absolve the present civil disobedience movement from its own heavy share of responsibility. It has immeasurably aggravated the situation both by the boycott directed against the trade in foreign, and patircularly British goods and indirectly by creating an atmosphere of uncertainty and unrest".

197. GOVERNMENT REVIEW OF CIVIL DISOBEDIENCE IN NORTH-WEST FRONTIER PROVINCE

From May to the end of December, 1930, the tribal situation on the North-West Frontier had been the chief interest.

198. MALAKAND

In the Malakand agency, the rulers of Dîr and Swat had made loyal offers of assistance in early May, 1930. But, a week later there had been some agitation in Panjkora, and movement of small parties of *Utman Khel* had been reported from the direction of Bajaur. The Spinkhwara mullah, who had great influence with Utman Khel, had apparently decided to hold aloof. In June, parties of Utman Khel from Ambahar approached Peshawar district border north-west of Tangi village in the Charsadda Tehsil. Air action was taken against Pranghar after issue of the usual ultimatum. The lashkar then took up position in *Jindaï Khwar* where air action had been taken against them at intervals, and the lashkar dispersed towards the end of June. Some prisoners together with rifles were captured; and responsible tribal elders were beginning to resign control over unruly elements and were co-operating with political authorities in maintenance of order. In July, the Alingar Faqir and other malcontents were trying to stir up trouble again amongst Utman Khel; and efforts were made to raise fresh lashkar to occupy old positions in Jindaikhwar or to attack Government levy posts.

199. THE KURRAM AGENCY

The Kurram agency was quiet from May, 1930, to the beginning of September 1930. On Kurram border, however, overt action was taken against Government by an Orakzai section, the Messozai with their neighbours the Para Chamkannis who made attack on militia posts and villages in Kurram valley. Militia and village levies engaged them with good spirit. Prompt and very successful air action was taken against hostile formation after due warning against the villages from which they came. Heavy casualties were believed to have been inflicted, and considerable damage was done to villages of more prominent hostile leaders. European women were evacuated from Parachinar as precautionary measure, but by the middle of August all was comparatively quiet again. But, it became then a storm centre, and the tribesmen occupied positions on

high ground along actual boundary line from which they were able to direct heavy fire on militia picquets and on motor transport using road. On the 3rd and 4th September these hostile positions on both banks of the Kurram river were strongly reinforced. Guns were brought into action and hostile positions were shelled; and the fleeing tribesmen came under heavy fire from village levies. An attack was delivered by the tribesmen at night, when the enemy centre penetrated along the river two miles, and inflicted some casualties on defenders of river-bank villages. Attack on Kharlachi was particularly heavy and levies had hard fight to defend immediate vicinity of these villages. Early next morning the enemy advanced against the militia post, but were met by fire at close range and were completely beaten off. Hostile activity on this border had entirely ceased in the middle of September. The Khani Khel and Khwajak sections of Chamkannis on the Kurram border had made complete submission by the end of September and had deposited rifles and given hostages demanded.

200. THE MOHMANDS AND HAJI OF TURANGZAI

In the middle of May, Haji Turangzai, and his son Badshah Gul had been trying to raise *lashkar,* but Mohmands were generally holding aloof, and the lashkar did not exceed 500. They had received some support and encouragement from certain villages inside the Peshawar district border. Action from the air against Haji's son had good effect. The position occupied by Badshah Gul was bombed at intervals, and casualties were believed to have been inflicted. An ultimatum was given to the Halimzai Mohmands about the end of May, that if Haji himself did not withdraw within 24 hours, action from the air was to be taken against the villages where he had established himself. When Badshah Gul joined Haji of Turangzai, near Ghalani in Gandab valley, air force action was continued at intervals against definitely located positions. Hostiles were reported to be very short of rations and several contingents had gone home. Haji had still failed to obtain any considerable accretion to his following from Mohmands and Halimzai and Turakzai continued to oppose him. In the middle of June, the Mohmand situation had improved. Dissensions had broken out amongst Badshah Gul's party over his alleged misappropriation of funds believed to have been sent from Peshawar. Intensive bombing also compelled

Alingar Faqir with his following to return home, and Badshah Gul's concentration after interview with seven selected Mohmand maliks of Peshawar district, was also dispersing. However, Mohmand hostiles on Shabkadar side had not dispersed and towards the end of June they continued to receive reinforcements in small numbers. Air action had been kept up against them as occasion offered. On the 23rd June, further attempts were made to persuade Haji of Turangzai by peaceful methods to withdraw his following from northern border of Peshawar district and air action was suspended. Jirgah of Mohmand elders from British territory went out to discuss matters with him, taking with them Deputy Commissioner's reply to their petition to the effect that Government was not interfering with religious affairs of Muslims, and that Abdul Ghaffar Khan of Utmanzai was undergoing imprisonment because he had refused to give security. The persuasions of the jirgah having met with success, Haji's followers became completely dispersed and leaders went away to their homes. In July, Haji of Turangzai was still at his home in Lakarai, but was sending out messages to tribes calling on them to renew struggle with Government. Haji had been recipient of constant appeals for assistance from Tirah Afridis in August 1930, and his efforts to effect settlement of internal disputes had at last met with success. Towards the end of August 1930, emissaries had remained active among the upper Mohmands and the Utman Khel, and had met with good deal of success, but Halimzai and Turakzai Mohmands on district border had given assurance that they will oppose him, if Haji's lashkar came to attack Peshawar district by way of Gandao. Further, the Mohmand Khasadars had been released from duties in border posts in order to go to Gandao and assist. Haji of Turangzai arrived in Gandao on the 30th October where he remained till the 7th November, maliks of assured clans were sent to counteract his activities which they appear to have been successful as Haji left Gandao on the 7th without apparently having effected his purpose of embroiling friendly Mohmands with Government.

201. AFRIDI TROUBLE

About the middle of May 1930, there was an Afridi lashkar of about 500 at Gandao; but main tribe was so far unaffected. Towards the end of May, this lashkar was still inactive and hopes were enter-

tained that it will probably disperse. In the first week of JUNE, Afridi situation overshadowed everything else, and at one time events threatened to assume very serious complexion. Lashkar laid by the said Badshah and other prominent mullahs was known to have formed some three weeks ago near the western end of the Khajuri plain. Subsequently further concentrations with standards collected in upper Bara had begun to move slowly towards the Peshawar district border. By the 4th June, the lashkar had reached the point about 15 miles west of Bara fort. Reported intention was to hold jirgah with the Khalil and Mohmand tribes of district with a view to combined resistance to alleged Government oppression. On the night of 4th and 5th June, the lashkar entered Peshawar district, and numerous isolated gangs—some of them numbering several hundreds—penetrated Khalil and Mohmand villages up to cantonment boundary. Khalils and Mohmands were incited to revolt and attack cantonment but refused. Large part of lashkar appears thereupon to have retired westwards towards hills. Numerous gangs however remained scattered through Khalil and Mohmand country and in gardens south of Peshawar city. Trees were felled and culverts were destroyed on Peshawar-Bara road. On the morning of 5th June, parties retiring across Khajuri plain were bombed from the air and Royal Air Force are reported to have inflicted heavy casualties. Simultaneously movable column marched out from Peshawar to clear country between Bara and Kohat road. Drive was entirely successful and troops were reported to have inflicted severe casualties operating in very difficult terrain. The lashkar which penetrated Peshawar district were reported all back in their home by 5th June, after sustaining losses estimated at 80 killed, and about 100 to 150 wounded. Instance of extent to which tribes are swayed by propaganda and their credulity is furnished by fact that one of main objects announced by lashkar was revenge on Government for numerous Afridis killed on 23rd April, whereas in point of fact, so far as can be ascertained, only one Afridi actually lost his life that day. An Afridi jirgah at Bagh on JUNE 13th (Friday), was well-attended by young hot-heads of tribe who refused to admit maliks and elders to jirgah. It was decided in first place to ascertain real cause of previous week's failure, and to leave future course of action for decision on June 20th or 27th,

ii. Afridi Entry into Peshawar.

iii. Afridi Jirgah.

An Afridi.

(Photograph by I. Das)

communications between Tirah and malcontents in Peshawar was believed to be active and hostiles, busy with attempts to arrange cessation of private feuds in Tirah with a view to combined action against Government. Agitation amongst Jowakis and Hasan Khel Afridis at one time assumed threatening appearance, but steadier attitude of Pass Afridis had brought them back to reason. Orakzai tribes generally quiet, but were sending representatives to Bagh jirgah. Owing to dissension among themselves, Afridi jirgah at Bagh on June 20th came to no conclusion with regard to future course of action. On the 22nd June, a gang of sixty Zakha Khel Afridis raided village of Akbarpura ten miles east of Peshawar and other gangs were known to be moving about. In Orakzai country small hostile section of mullahs was carrying on propaganda against Government but efforts had not so far met with any real measure of success. So-called Khilafat volunteers among Afridis were increasing in numbers, and now said to number about sixteen hundred. An Afridi jirgah at Bagh on Friday, the 18th JULY, 1930, was unusually strong and fully representative of all sections except Aka Khel, Kamarai, and Sipah who attended in small numbers. Contingent of about 600 Orakzais was also present. Results of political agent's interview with jirgah on the 18th was reported at gathering, and it was resolved that raids should be organised against Government, pending compliance with tribes demands. It was also decided that parties of Afridis should start at once to tour in Orakzai country and establish Afridi-Orakzai unity. In pursuance of this decision contingents of Afridis left for Orakzai country next day, and had been moving about in Orakzai country enlisting so-called volunteers and proclaiming intention to hold mass Afridi Drabzai jirgah near Khanki Bazaar on the 25th. Aeroplanes reconnaissances over Bara and Mastura valleys had been heavily fired at on several occasions during the last week of July. Efforts were being made to bring in the Shiab Orakzais also and the Massozai and Alisherzai of Kurram Agency. The attack contemplated on Peshawar city and cantonment on the night of 8th and 9th August, was not carried out and the tribes dispersed. But, about the middle of AUGUST the Afridi lashkar in Peshawar

iv. Afridi Raid on Akbarpura.

v. Afridi Jirgah.

vi. Afridi-Orakzai Combination.

vii. Afridi Lashkar in Peshawar.

district, and on district border was focus of interest in tribal situation. Detachments from main lashkar which were reported to have got into district remained there at varying strength: and numerous large gangs concealed themselves in thickly-wooded tract to south and south-east of Peshawar and amongst ravines further to east and were constant source of trouble and anxiety to authorities. They also made several unsuccessful attempts in small parties by night to enter city and cantonments. Taking advantage of cover afforded by high crops, they were generally able to elude military whose efforts were directed to this expulsion. For this reason decisive military action against them was difficult at that season. "*Moreover, they undoubtedly received shelter, food and some active assistance from villages in neighbourhood of Peshawar.*". They at one time succeeded in cutting all communications with Peshawar and one party forced way into supply Depot where it did some damage before being driven out. The Orakzai situation had remained uncertain throughout the middle of August. A number of Orakzais undoubtedly accompanied main Afridi lashkar and some took part in activities inside Peshawar district. Two sections of tribes raised lashkar of sorts in Tirah with intention of attacking Kohat, but general enthusiasm appears to have been lacking and by the middle of August number of Afridis remaining in Peshawar district had greatly decreased and so also had main body of lashkar in vicinity continued to be one of considerable gravity and danger. In addition to actual incursion of Afridis from west, other potential sources of dangers to Peshawar district were Mohmands and other tribes to north and Pass Afridis, Hassan Khel and Asho-Khel to south while on Kohat and Kurram border Orakzai and kindred tribes though quiet again for the moment remained uncertain factor and possible menace. To south of Peshawar district attitude of Pass Afridis remained satisfactory though constant efforts were being made by Tirah Afridis to enlist their co-operation. Hassan Khels and Asho-Khels were less reliable. Some of them were already known to have joined Afridi hostiles in the district, and they were in a position to make trouble in Nowshera area if opportunity offered. To meet this special measures were found necessary and Martial Law had been proclaimed in Peshawar district by Ordinance promulgated on the evening of August 15th. By the 19th August, Afridi lashkar had dispersed, though few small

viii. Martial Law in Peshawar.

Typical Afridi Village

parties still remained in the district. Gang of about 30 was seen on the 19th some seven or eight miles south of Peshawar. Another gang was reported to have entered the district on the night of the 20th and two similar gangs were reported on the 21st, south of Peshawar and in the direction of Attock bridge. A car containing two British officers and two sepoys was fired at in the Khyber Pass above Jamrud on the afternoon of the 17th August. Afridi Khasadars engaged offenders and drove them off. Empty staff car returning to Rawalpindi from Peshawar on the morning of the 20th August was shot at between Nowshera and Attock. Bullet pierced windscreen but the driver was uninjured. Party of Tirah Afridis under the leading hostile mulla had been touring Hassan Khel country in the hope of involving Hassan Khel and Jowaki but seems to have met with very little success. Congress emissaries from British territory were, however, reported to have passed up Bara valley to urge Afridis to renew hostilities. About three thousand Afridis were present at usual Friday jirgah at BAGH ON 22nd AUGUST and the aeroplane doing reconnaissance there, was fired upon. There was quiet on Afridi side in September but so-called *"Khilafatist-lashkar"* was moving about in Afridi Tirah endeavouring to impose tribal punishment on maliks or sections who were considered to have given insufficient assistance during the last Afridi incursion. By October 18th Afridi jirgahs had still failed to materialize. Tribal jirgahs dissolved on the 16th October after three days' heated discussion. Hostiles apparently persisted in their previous attitude that no jirgah should leave Bara with authority to represent whole tribe except with their permission and on their terms. Latest reports about the middle of October were to the effect that parties of maliks and elders had reached Chora in Bazar valley. Simultaneously other parties presumably hostiles were observed moving down Bara valley towards Maimana. Brigade from Bara fort advanced on the morning of the 17th October to point near left bank of Bara fort. No opposition was encountered. Combined jirgah of Afridi maliks and elders numbering some 1,500 persons arrived Jamrud on the 18th OCTOBER. They were interviewed by Political Agent on the 19th and the following day. While jirgah was in session hostile elements congregated round Tongi and Kadam a few miles south of Jamrud await-

ix. Afridi Gangs in Peshawar District.

x. Afridi Jirgah.

xi. Combined Jirgah.

ing result of negotiations. Political Agent explained to jirgah Government's determination to protect British border for future from incursions based on caves in Khajuri and Aka Khel plains. Jirgah were asked if they had any suggestion to put forward to this end. Elders and maliks however declared themselves incapable of providing solution. Negotiations had, therefore, so far proved inconclusive. Meanwhile, troops were engaged in examining terrain, and daily reconnaissances had been conducted from advance camp west of Bara fort. Beyond some long range sniping no opposition had been encountered. In the beginning of November, the Afridi jirgah at Jamrud dissolved after being interviewed by Chief Commissioner. Result was inconclusive. Maliks and elders being unable to make any satisfactory surgestion for preventing incursions into Peshawar district, *via* Khajuri and Aka Khel plains. Afridis were reported to be again holding tribal jirgah at Bagh. This jirgah met on Friday, the 31st October: and deliberations continued till the 5th November. Majority of tribesmen who attended were reported to have belonged to Malikdin Khel and Kambar Khel sections. Leading maliks were apparently absent, but hostile party elders and Government pensioners were represented. Only decision arrived at appears to have been that elders should be entrusted with the task of effecting settlement with Government. The latter was subsequently despatched to Assistant Political officer by the leading maliks and elders asking for further opportunity of discussing settlement with Government. Reply had been sent that Government was prepared to meet jirgah on the 17th NOVEMBER and the following days. The maliks were seen by the Chief Commissioner personally at Peshawar on the 24th November. Jirgah was fully representative and included maliks and elders of all sections. Government pensioners were also represented. Beyond suggestion made at previous jirgah, *viz.*, that of sectional responsibility, elders had, however, no alternative to put forward to Government's measure on Khajuri and Aka Khel plains. Only addition to previous statement was that jirgah might consider construction of some roads across plains but only on condition of evacuation as soon as roads were constructed. No agreement being possible under these circumstances the jirgah broke up.

xii Chief Commissioner's Interview.

xiii. Khajuri Plain. While the jirgah was in session at Jamrud and subsequently, rumours were current that gangs were collecting in Tirah to attack troops in Khajuri plain. These rumours had

not however materialised and beyond occasional sniping at night no hostile action had been attempted to the end of November 1930. On the 3rd of December, a gang of about one hundred Kambar Khels followed up covering party in the Aka Khel plain while troops were returning to camp at Miri Khel. The British casualties were one officer killed, and one other rank wounded.

202. GOVERNMENT REVIEW OF INTERNAL SITUATION IN NORTH-WEST FRONTIER DISTRICTS IN 1930

(1) In May 1930, vigorous action had been taken to improve the position in North-West Frontier Province, and the seditious meetings Act was enforced in Peshawar, Bannu, and Kohat. Congress Committees had been declared unlawful associations in the last two places, where the police with military support had made arrest of prominent agitators. Peshawar city was occupied by troops in early May 1930, but leading citizens were working to improve the situation. The rural areas affected were confined to a portion of the Peshawar district, and a few villages near Bannu city. Movable column had operated in Charsadda Tehsil of Peshawar district with good effect against Red-Shirt Organisation and certain villages which had been helping the Haji of Turangzai. The Red-Shirt Organisation had been declared an unlawful association, and a certain number of prominent members had been arrested. But towards the end of May, the Red-Shirt Organisation was still active, especially in Charsadda Tehsil; but measures to deal with the Organisation continued. Some Congress activity was reported from Dera Ismail Khan but the district was quiet. A favourable sign in the Province was that recruiting for additional police necessitated by recent events was proceeding briskly, and recruits were coming forward freely. The chief weapon of *anti-Government* agitation was the dissemination of false reports; but active steps were being taken to counter them. The Government of India had appointed a Committee consisting of two High Court Judges, one of whom was a Mohammedan, to enquire into the disturbances in Peshawar city on the 23rd April, and the measures taken to deal with them. The Committee commenced their enquiry on the 26th May. On the same date, the arrest of six persons from Takkar village in Mardan Tehsil, led to a clash with the police in which the Assistant Superintendent of Police was killed. On the 29th Takkar village was surrounded by police and troops and 36 arrests

were effected. Fire was opened on cordon of troops by gathering from adjacent villages. Towards the end of May, Red-Shirts were still reported very active especially in Hashtnagar tract of Charsadda Tehsil. Increase of Congress activity was reported from Dera Ismail Khan. Action had accordingly been taken under Criminal Law Amendment Act and Seditious Meetings Act.

203. JUNE 1930

(2) On the night of June 3rd, two motor lorries hired by Frontier constabulary were ambushed while returning empty to Shabkadar Fort. Driver of one lorry was shot dead: and lorry burnt. Driver of second lorry was badly wounded. As outrage occurred in Shabkadar village, Gigiani quarter of this village which was proved to have been implicated was rounded up on June 5th and arrests effected. Disarmament of disaffected villages and arrests of seditious leaders continued in various parts of Peshawar district: but seditious meetings were still being held in various centres. On the other side, on the 10th June, a loyalist meeting was held at Charsadda condemning agitation. In Bannu, some Bazan Khel Wazirs from tribal territory attended. The situation deteriorated in Swabi Tehsil of Peshawar, and some selected leaders of agitation were arrested by a small column despatched to various villages. This column had friendly reception from various villages, previously disaffected. Towards the end of June 1930, the situation was greatly improved in Charsadda, and troops had been withdrawn.

204. JULY 1930

(3) On the 2nd July, a slight explosion occurred on railway line near Peshawar Fort when Calcutta Mail was passing. No damage was done to train or passengers. On the 3rd July, representative deputation of different classes and schools of thought presented address of welcome to Chief Commissioner at Peshawar, including constructive suggestions for development of Local Self-Government and for enhancing general efficiency of administration. Deputation deplored regrettable incidents which caused so grave discontent and strained relations between people and authorities. They strongly pressed question of reforms and considered that recommendations of Statutory Commission for North-West Frontier Province were altogether inadequate. Suggestions for immediate action related chiefly to Local Self-Govern-

Address of Welcome to Chief Commissioner.

ment, Panchayats, scope of activities of beneficent departments, assurance relating to land revenue, water-rates and local-rates and urged need of closer association of people with administration. Deputation said,

"Constitutional agitation is the method on which we rely and defiance of law is not the course which we pursue or approve of. We feel that our Province cannot advance unless it be through co-operation of Government and people both working in spirit of mutual confidence."

Reply, Assuring Measure of Reforms.

The Chief Commissioner gave sympathetic and encouraging reply assuring deputation of sympathy and support in measures of reforms under existing law. He announced that district boards and municipalities would be reconstituted and elected element introduced and that Panchayat Act of the Panjab would be referred to Committee for report. He accepted the principle that in beneficent departments standard of administration to be attained in Province should not be below that prevailing in adjoining districts of the Panjab, and he gave assurance that re-assessment proposals of Peshawar district would be examined in light of the Panjab Land Revenue Amendment Act, and that land revenue, water and local rates would not be higher in the North-West Frontier Province than in the Panjab. He assured them that he looked with sympathy on natural aspirations of people to advance intellectually, economically, and politically and concluded with the following words:

"The task before us—the Government, as well as the people—is a great and noble one. Its successful accomplishment needs the co-operation of both, and it is my earnest desire to see the Province prosperous, contented, and progressive".

Constitutional Advance.

Hon'ble Mian Sir Fazl-i-Husain was present with Chief Commissioner and associated himself on behalf of Government of India with all assurances given. Function in political circles was believed to have far-reaching significance as heralding era of constitutional advance with peace and progress, closer association of official and non-official agencies, and more intimate union of Hindu and Muslim efforts in common cause of well-ordered development of Province. In the beginning of July, the All-India Congress Working Committee was declared as unlawful association under the Criminal Law Amendment Act. The Committee consisting at full strength of 15 persons was stated to have played

a prominent part in organising and directing the Civil Disobedience movement; had passed a number of resolutions urging the public to defy the Law and to refuse payment of taxes. It was also held to have circulated widely an incitement to the troops and the police to fail in their duty in dealing with the Civil Disobedience movement. Simultaneously with the notification of the Committee, the President Pt. Motilal Nehru and Secretary of the A. I. C. C. had been arrested and sentenced. Following on this action there were *hartals* in various towns, and popular demonstrations had been most marked in Bombay city. The day before the Committee was notified, a meeting was held, at which a number of resolutions were passed, urging the continuance of Civil Disobedience movement with increasing vigour : and the widest publicity to the resolution inciting the troops and police to fail in their duty referred to above. In Bannu district political meetings in villages were held, and five Congress volunteers organising picketing by villagers in Bannu city were arrested and sentenced. On the night of 8th July slight explosion occurred in Peshawar city outside the house of Honorary Magistrate, but very little damage was done. Mardan reported dacoity at Dagi in Swabi Tehsil in which dacoits were disguised as police. Situation improved after representative deputation met Chief Commissioner assuring him of their belief in constitutional methods and received his reply indicating sympathetic policy of Government. A petition from turbulent village of Harichand affirmed loyalty and anxiety to stop all anti-Government agitation. Conditions on the whole continued to improve towards the end of July, and a great number of under-trial and convicted persons of Peshawar district connected with recent agitation had been released on giving satisfactory undertakings. However, there were some signs of revival of agitation in Utmanzai village in Charsadda Tehsil and meetings were being held again. On the 22nd July, Taroba village in Nowshera Tehsil was visited by armed gang of Hassan Khel of Janokar dressed in Khaki. They represented themselves as Frontier constabulary and summoned two villagers outside the village where they shot them dead. It is believed this was done in prosecution of inter-village feud. In Bannu city, picketing of liquor shops by women continued, and restrictions on ingress of villagers were being maintained. Rural situation in that district also was somewhat less satisfactory, and carrying of arms by audiences at meetings was becoming more common. District Magistrate as a precaution was

calling in all Government and licensed rifles in Bannuchi area. The Viceroy's address to the Central Legislature on the 9th July had undoubtedly strengthened the moderates in favour of constitutional methods.

205. AUGUST 1930

(4) In the beginning of August, there had been no change in the situation in Bannu city. The process of disarming the disaffected portions of the rural areas had continued, and the total number of Government and private rifles withdrawn amounted to nearly a thousand. The picketing had deceased in Bannu city by about the middle of August but restrictions on city-gates had not yet been relaxed. Government and licensed rifles were still being called in from disaffected areas in Bannu district. There was recrudescence of agitation in Charsadda subdivision taking the form of picketing liquor shops. Local police had been strengthened, and cavalry regiment had been moved from Tangi to Charsadda. Congress agitators of Bannu district achieved little success in spreading their propaganda in Khattak country, where they encountered spirited opposition including counter-propaganda. Police Frontier constabulary supported by troops visited four Hathi Khel Wazir villages of Bannu district and made some arrests of agitators who had been prominent in this movement. Later, there was serious clash near Domel between Government forces and large armed party of Hathi Khel Wazirs which resulted in heavy casualties on both sides. Mixed forces of regular infantry Frontier constabulary and police had moved out from Bannu to occupy the ground where meeting under hostile mulla Fazl Qadir had been advertised and to effect arrest of leading agitator. Mulla and his adherents appeared with large gathering of armed followers which amounted to regular lashkar and sent message stating that they were prepared to surrender themselves for arrest but only on condition that they were permitted to march with armed following first to place of meeting, and thence to Bannu jail where they would give themselves up. Magistrate and political Tehsildar parleyed with leaders, but hostile lashkar of mulla's following meanwhile continued its advance towards adjoining hamlet, and came up against infantry platoon already located there. The casualties were Captain F. Ashcroft of 6-13th F. F. Regiment killed with 8 others, and ten wounded. Hostile casualties were 42 killed, 30 wounded, and more than 80 taken prisoner. Road between Bannu

and Kohat was closed to European passengers for two days while situation was cleared up. Loyal Hathi Khel maliks turned out tribal lashkar to pursue remnants of hostiles. Usual Friday meeting at mosque outside Bannu city towards the end of August was marked by objectionable speeches by three arrested.

206. SEPTEMBER 1930

(5) A country-made bomb exploded on the 1st September, on doorsteps of Police Inspector's house in Bannu city, but did not damage. About 3,000 persons attended meeting held after Friday prayers on the 12th September at Bannu. Objectionable speeches were made, and revolutionary cries raised. Bannuchi mulla, the chief speaker, was arrested. Meetings advertised for 14th September and 17th September were prevented by friendly Wazir maliks, but the situation in Bannu district still required careful watching; towards the end of the month mullah Ataullah, a Congress propagandist, who had left Bannu for Waziristan, was arrested.

207. OCTOBER 1930

(6) In the beginning of October, outrages had been attempted in North-West Frontier Province, as in Bengal, U. P., Panjab, and in practically every case the intended victims had been the members of the police. About the middle of October, there was a recrudescence of Red-Shirt movement in Charsadda area of Peshawar district; and attempts were made to institute campaign of liquor shops in Peshawar city. Picketers who appeared to have come for the most part from Charsadda Tehsil were arrested as they appeared. These attempts were continued by small parties of youths at Peshawar demonstrating in front of liquor shops, who were arrested as soon as they appeared.

208. NOVEMBER 1930

The picketing of liquor shops with arrests of picketers continued in the beginning of November, but was discontinued soon after. The proceedings of R. T. C. had continued to attract great attention.

209. DECEMBER 1930

In December, His Excellency the Viceroy promulgated the unlawful Instigation Ordinance, and the Indian Press and Unauthorised

News-sheet and Newspaper Ordinance. The proceedings of the R. T. C. continued to be closely followed by all who were interested in the political future of the country. North-West Frontier Province had no repesentation on the R. T. C. to represent minority interests, but the minority problem of Muslims throughout India was the analogy which was expected to guide the plans regarding this Province formed at the R. T. C. The failure of the delegates at the Conference to reach an agreed settlement of the communal question was the cause of much disappointment.

210. THE PROCEEDINGS OF THE ROUND TABLE CONFERENCE

As noticed in § 194, *ante*, the Indian Round Table Conference was inaugurated by His Majesty the King-Emperor at a public session in the Royal Gallery of the House of Lords on the 12th November, 1930. Its proceedings came to an end on the 19th January, 1931.

A general debate, lasting for the first five days—in plenary session, decided that the future constitution of India should be on a federal basis. A federal relations committee was thereupon set up

Federal Relations Committee.

"to consider the structure of a federal system of Government in Indian States and British India, and relations between Provinces of British India and the centre, including the question of responsibility at the centre, and to recommend the main principles to be applied".

It was, however, found more convenient to work through a committee of the whole conference, instead of through this committee, and the committee of the whole set up nine sub-committees to consider the following among other questions:—

1. FEDERAL STRUCTURE : with a number of separate subjects or terms of reference.

2. PROVINCIAL CONSTITUTION : embracing "the powers of the Provincial Legislatures, and the constitution, character, powers and responsibilities of the Provincial executives."

3. MINORITIES : dealing with the provision to be made to secure the willing co-operation of the minorities, and the special interests.

5. NORTH-WEST FRONTIER PROVINCE : "to consider what modifications, if any, are to be made in General Provincial Constitution to meet the special circumstances of the North-West Frontier Province."

211. FEDERAL STRUCTURE

Sub-Committee No. 1 with Lord Sankey, as Chairman, reported on the 13th January, 1931, that a most encouraging degree of agreement had been secured on the matters comprised in Heads Nos. 1, 2 and 3, *viz.*, (1) the component elements of the Federation: (2) the type of Federal Legislature and the number of Chambers of which it should consist: and (3) the powers of the Federal Legislature. The federating Provinces of British India should be a component element of federation, and the federating organism will be neither the Government of British India as it exists at present, nor autonomous Provinces released from the central tie. The process of federation will involve the creation of the New State which will derive its powers in part from the transfer to it of such of the powers of the Central Indian Government (and also it may be of the Provincial Governments) as may be agreed to be necessary for the purpose of the federation. The Federal Legislature should consist of two chambers, upper and lower: and it will be clothed with power to legislate upon all subjects included in the list of subjects provisionally recommended as federal subjects. It is of the essence of a Federal Constitution that the enactments of the Federal Legislature acting within its legal scope should have full force and effect throughout all units comprised in the Federation.

212. PROVINCIAL CONSTITUTION

The Sub-Committee No. 2, under the Chairmanship of Mr. Henderson, was appointed to consider (*a*) The powers of the Legislatures; and, (*b*) The Constitution, character, power, and responsibilities of the Provincial executives. This Sub-Committee was agreed that in the Governor's Provinces the existing system of dyarchy should be abolished and that all Provincial subjects, including the portfolio of law and order, should be administered in responsibility to the Provincial Legislatures. The Sub-Committee recommended that there should be unitary executives; and that the individual ministers composing the executive should be jointly responsible to the legislature. The responsibility for appointing Ministers will rest with the Governor: though in the discharge of that function the Governor should ordinarily summon the member possessing the largest following in the legislature, and invite him to select the Ministers, and submit their names for approval. The

i. The Abolition of Dyarchy.

ii. Joint Responsibility of Provincial Executive.

Ministers should ordinarily be drawn from among the elected members of the Provincial legislature. In the event of the appointment of a non-elected non-official, such person should be required by statute to secure election to the legislature within a prescribed period not exceeding six months, but subject to this limit, he may be nominated by the Governor to be a member of the legislature. The Sub-Committee was of opinion that there should be no discretion to permit the apponitment of an official to the Cabinet. The Sub-Committee considered it a matter of practical importance to the new constitutions that important minority interests should be adequately recognised in the formation of the provincial executives. An objection to endeavour to secure such representation should be expressed in the Instrument of Instructions to the Governor. The Governor should have power to dissolve the legislature, he may assent or withhold assent to legislature; he may return a bill for reconsideration by the legislature, or reserve it for the consideration of the Governor-General. It should not be lawful without the previous sanction of the Governor to introduce any legislation. (1) Affecting the religion or religious rites of any class or community in the Province; (2) regulating any subject declared under the constitution to be a federal or central subject; (3) any measure repealing or affecting any Act of the Federal or Central Legislature or Ordinance made by the Governor-General. The Ministers shall hold office during the pleasure of the Governor. Ordinarily the Governor was to be guided by the advice of his ministers; and his power to direct that action should be taken otherwise than in accordance with their advice, shall be restricted to the discharge of the special duties imposed on him by the constitution. These duties shall include the protection of minorities and the safeguarding of the safety and tranquillity of the Province. The Governor shall be vested with SPECIAL AND EMERGENCY POWERS to carry on the administration in the event of a break-down of Government or the Constitution: such powers not to remain in operation for more than six months without the approval of Parliament expressed by a resolution of both Houses. The normal lifetime of the Provincial Legislature should not exceed five years.

iii. The Appointment of Ministers.

iv. Group or Communal Representation in the Cabinet.

v. Powers of the Governor.

213. THE MINORITIES SUB-COMMITTEE

Sub-Committee No. 3, under the Chairmanship of Mr. J. Ramsay MacDonald, set up to consider the claims of the minorities, other than those incidental to the subjects referred to other committees, reported on the 16th January, 1931, that in order to secure the co-operation of all communities, which is essential to the successful working of responsible Government in India, it was necessary that the new Constitution should contain provisions designed to assure communities that their interests would not be prejudiced; and that it was particularly desirable that some agreement should be come to between the major communities in order to facilitate the consideration of the whole question. Although this was very nearly accomplished, it had not succeeded completely, but the negotiations were to be continued both in England and in India. One of the chief proposals brought before the Sub-Committee was the inclusion in the constitution of a declaration of fundamental rights safeguarding the cultural and religious life of the various communities and securing to every individual, without discrimination as to race, caste, creed, or sex, the free exercise of economic, social and civil rights. The possibility was expressed that under certain conditions the election of the Legislature might be from a general register, but no agreement was come to regarding these conditions. Whilst it was generally admitted that a system of joint free electorates was in the abstract the most consistent with democratic principles as generally understood, and would be acceptable to the Depressed classes after a short transitional period, provided the franchise was based on adult suffrage, the opinion was expressed that, in view of the distribution of the communities in India, and of their unequal economic, social, and political effectiveness, there was a real danger that under such a system the representation secured by minorities would be totally inadequate, and that this system would therefore give no communal security; claims were, therefore, advanced by various communities, that arrangements should be made for communal representation and for fixed proportion of seats. It was also urged that the number of seats reserved for a minority community should in no case be less than its proportion in the population. Nomination was unanimously deprecated. Joint electorates

i. Agreement to be Negotiated.

ii. Declaration of Fundamental Rights.

iii. Joint or Separate Electorates.

were proposed, with the proviso that a proportion of seats, will be reserved to the communities. The discussion made it evident that the demand which remained as the only one which would be generally acceptable was separate electorates. The general objections to this had been subject to much previous discussion in India. It involved what is a very difficult problem for solution, *viz.*, what should be the amount of communal representation in the various Provinces, and in the centre that, if the whole, or particularly the whole, of the seats in a Legislature were to be assigned to communities, there will be no room for the growth of independent political opinion or of true political parties, and this problem received a serious complication by the demand of the representatives of the Depressed classes that they should be deducted from the Hindu population and be regarded, for electoral purposes, as a separate community. No claim for separate electorates, or for the reservation of seats in joint electorates was made on behalf of women who should continue to be eligible for election on the same footing as men. But, in order to familiarise the public mind with the idea of women taking an active part in political life and to secure their interim representation on the legislature, it was urged that 5 per cent of the seats in the first three Councils should be reserved for women and it was suggested that they should be filled by co-option by the elected members voting by proportional representation. There was general agreement with the recommendation of Sub-Committee No. 2 (Provincial Constitution) that the representation on the Porvincial Executives of important minority communities was a matter of the greatest practical importance for the successful working of the new Constitution, and it was also agreed that, on the same grounds, Mohammedans should be represented on the federal executive. On behalf of the smaller minorities a claim was put forward for their representation, either individually or collectively, on the Porvincial and Federal Executives, or that, if this should be found imporssible, in each cabinet there should be a minister specially charged with duty of protecting minority interests. As regards the administration, it was agreed that a recruitment to both provincial and central services should be entrusted to Public Service Commissions, with instructions to reconcile the claims of the various

iv. Women Representatives.

v. Representation of Minorities on the Provincial Executives.

vi. Public Service Commissions.

communities to fair and adequate representation in the public services, whilst providing for the maintenance of a proper standard of efficiency. In view of the difficulties involved in the schemes put up, no general agreement had been reached; but its necessity had become more apparent than ever. It was made plain that failing an agreement, separate electorates with all their drawbacks and difficulties, would have to be retained as the basis of the electoral arrangements under the new Constitution. The minorities and Depressed classes were definite in their assertion that they could not consent to any self-governing constitution for India unless their demands were met in a reasonable manner.

214. NORTH-WEST FRONTIER PROVINCE SUB-COMMITTEE

One of the Sub-Committees at the R. T. C. was appointed

"to consider what modifications, if any, are to be made in the general Provincial Constitution to suit the special circumstances of the N.-W. F. Province."

This Sub-Committee No. 5, presided over by Arthur Henderson, reported on the 1st January, 1931, that the Sub-Committee was unanimous in attaching great importance to the need for reform in the North-West Frontier Province. It recommended that the five administered districts should cease to be as they were then a centrally administered territory under the direct control of the Government of India, and that they should be given the status of a Governor's Province, subject to such adjustment of detail as local circumstances required, and the extent of the All-India interests in the Province necessitated.

i. The Need for Reform.

(2) "The Sub-Committee recommended that, as in other Governor's Provinces, there should be a classification of Provincial subjects entrusted to the charge of the Provincial Government. The precise discrimination of subjects between the centre and the N.-W. F. Province will require careful investigation by a specially constituted committee following broadly the lines of the classification in other Provinces. Subject to the findings of such a committee the Sub-Committee no. 5, contemplated that the charge of the ordinary civil police in the five administered districts excluding the Frontier constabulary will pass to the Provincial Government of these districts but in view in particular of the close relation of the Province with matters of defence and foreign policy the Sub-Committee considered it essential that all matters of All-India importance, and all matters connected with the control of the tribal tracts, for instance, the Frontier constabulary, Frontier remissions and allowances, and strategic roads should be excluded from the purview of the Provincial Government and classed as central subjects. The broad point was that in making the dividing line between

The Classification of Provincial Subjects.

Khan Bahadur Risaldar Mughalbaz Khan,
Public Service Commissioner.

central and provincial subjects, regard would be had to the need for classifying as central certain subjects of all-India importance peculiar to the present administration of the N.-W. F. Province, which could not properly be entrusted to the Provincial Legislature".

The Executive.

(3) The Sub-Committee recommended that the executive should consist of the Governor assisted by the advice of two Ministers drawn from the non-official members of the Legislature, at least one of whom shall be elected. The Governor would also function as Agent to the Governor-General for the control of the tribal tracts, and the administration of central subjects peculiar to the North-West Frontier Province. With these subjects, since they will be not provincial but central subjects, the ministers will have no concern. The Sub-Committee considered it essential owing to the close inter-relation between the trans-border tracts and the settled districts, and in order that All-India interests may be adequately secured—that in addition to possessing all the powers vested in the Governor of a Governor's Province, the Governor of the North-West Frontier Province should be the effective head of the Provincial administration and should preside over the meetings of his own Cabinet.

The Legislature.

(4) The Sub-Committee recommended that there should be set up for the five administred districts A SINGLE-CHAMBER LEGISLATIVE COUNCIL with power to pass legislation and vote supply in regard to all subjects that may be classed as provincial. In addition the legislature should possess the usual powers of deliberation and of interpellation. THE SIZE of the legislature should be suited to the convenience of the constituencies. The Sub-Committee contemplated a Legislative Council with a probable total membership elected and nominated, of not more than 40 members. The Sub-Committee considered that the legislature should be *composed both of elected and of nominated elements.* The nominated members shall not exceed 14 members in a house of 40; and of the nominated members not more than six or eight should be officials. The Sub-Committee suggested that THE FRANCHISE in the North-West Frontier Province should be examined by the Franchise Committee to be set up to report on the Franchise of all Provinces. Subject to such recommendations as the minorities Sub-Committee might make, the North-West Frontier Province Sub-Committee considered that if

The Minority Representation.

Muslims were given weightage in Provinces where they were in a minority, the Hindus and Sikhs in the North-West Frontier Province should be given WEIGHTAGE IN THE LEGISLATURE of that Province. Their representation might be three times the figure to which they would be entitled on a population basis.

The Financial Settlement.

(5) "The Sub-Committee was satisfied from figures placed before it that on subjects which may be expected to be classed as provincial, the province will show a large financial deficit. It followed that the provincial Government will require financial assistance from central (or federal) revenues.. The Committee suggested that there should be preliminary expert investigation into the allocation of expenditure between central and provincial heads to supply the basis from which the financial subvention from central (or federal) revenues may be calculated. The Sub-Committee apprehended that if THE SUBVENTION be open to debate annually in the central (or federal) legislature, the substance of provincial autonomy in the N.-W. F. Province may be impaired. It suggested that the difficulty might be met by financial assignment should run undisturbed for a period of years".

215. THE PRIME MINISTER'S SPEECH

The Pledges given by British Parliament.

(1) In a speech delivered by the Prime Minister, Mr. Ramsay MacDonald, at the final plenary session of the Conference held on the 19th January, 1931, at St. James' Palace, he observed that the Round Table Conference was a gathering of Indian representatives who had met their British colleagues "on terms of hospitable equality," "for the purpose of taking counsel together to achieve a common purpose, the Self-Government of India." He referred to "pledge after pledge having been given to India that the British Raj was there not for perpetual domination": These pledges had been given by English Queens and Kings; by the Viceroys, and by the Parliament. The Morley-Minto Reforms contained not merely machinery of Government, but a promise of advance. The Montagu-Chelmsford Reforms not only set up a system of Government, but gave a pledge to India that something else was to follow. The Simon Commission was appointed because it was contained as a sacred pledge in the Montagu-Chelmsford Reforms. When that Commission was appointed, the leaders of the three political parties had agreed that "when the British Government came to consider the Report, and to give it a legal and constitutional value," a consultation would have to take place between the representatives of the British Parliament, and the

representatives of Indian opinion; and that is why the Round Table Conference was held. He regretted profoundly "that important sections of Indian political activity" were not there too. The Prime Minister, belonging to Left Wing of Politics, was one of those who believed "that he who stirs enmity between peoples is not going to advance liberty in the world."

Communal Difficulties

(2) As regards communal difficulties, which had put obstacles in the way, the attitude of the British Government in such relations was nothing more than an overpowering desire to leave Indians to settle their own affairs. The Government had no desire to use the disagreements for any ulterior purpose. Quite the opposite, the British Government wanted to narrow down the gap between the communities, by means of negotiations that were going to take place He observed that the British Government could declare rights, and hand over to Indians the political power to see that those rights are enforced and respected. But, ultimately it depended upon the intelligence of the people, upon their organisation, strength of will, and the success of their leadership as to whether words became deeds and declarations action.

The Federal Constitution.

(3) The Federal Constitution had been rendered possible only by the action of the Indian States, who made the declaration, showing their patriotic interest in Indian affairs, and gave a very wise vision regarding the future. This had been a great achievement for which both India and Great Britain were grateful to their Highnesses "Safeguarding" was an ugly word, which quite naturally roused great suspicions. But applying commonsense to it, the safeguards suggested fell under three categories. One category is a group of reserved or implicit in every free constitution, to be used, by some one in authority, in the event of a break-down of the ordinary normal operation of Government. The second category of safeguards covers firstly guarantees made by the Secretary of State, or by the British Government, or the British Crown, *e.g.*, as regards finance and services, which in the interest of India have to be made clear to the world that India will shoulder those obligations and responsibilities, so as to put India in a moral position in the eyes of the rest of the world. Another section of the safegurds was that owing mainly to India's history, there were matters requiring some time for a change, "that which is built calmly and steadily step by step endures": The third category of safe-

The Safeguards

guards related to communities. But the settlement between communities great and small must come by their own agreement: if they failed to agree, the Government will have to provide in the constitution provisions designed to help them.

Reserved Power of Government.

(4) As regards the reserved powers of the Government, the Prime Minister observed that the ministers responsible must not shield themselves from taking upon their own shoulders their responsibility when it was unpopular by leaving the Viceroy or the Governor to put into operation his reserved powers. There must be unified responsibility in executives: and the great task in forming an executive is to secure for the executive the confidence of the legislature, together with its own united working in policy. The Government proposed to study the various reports of Sub-Committees very carefully in order to face problems that presented themselves.

Constitution for N.-W. F. Province.

(5) "With regard to the N.-W. F. Province the Subject-Committee had recommended the elevation of its status to that of a Governor's Province, with a constitution analogous to that of other Governor's Provinces under the new regime, but with the necessary modifications and adaptations to suit the peculiar local conditions and requirements, and with the necessary final adjustments with the Central Government".

216. THE DECLARATION BY THE GOVERNMENT

Mr. Rasmay MacDonald read out the Declaration of the Government regarding proposed constitution which was in these terms :

Responsibility of Central and Provincial Legislatures.

((1) "The view of His Majesty's Government is that responsibility for the Government of India should be placed upon Legislatures, Central and Provincial, with such provisions as may be necessary to guarantee, during a period of transition the observance of certain obligations and to meet other special circumstances, and also with such guarantees as are required by minorities to protect their political liberties and rights".

Statutory Safeguards.

Reserved Powers.

(2) "In such statutory safeguards as may be made for meeting the needs of the transitional period, it will be a primary concern of His Majesty's Government to see that the reserved powers are so framed and exercised as not to prejudice the advance of India through the new Constitution to the full responsibility for her own Government." "His Majesty's Government, whilst making this Declaration, is aware that some of the conditions which are essential to the working of such a constitution as is contemplated, have not been finally settled, but, it believes that as the result of the work done here, they have been brought to a point which

Further Negotiation Contemplated.

encourages the hope that further negotiations, after this Declaration, will be successful."

(3) "His Majesty's Government has taken note of the fact that the deliberations of the Conference have proceeded on the basis, accepted by all parties, that the Central Government should be a Federation of All-India, embracing both the Indian States and British India in a bicameral legislature. The precise form and structure of the new Federal Government must be determined after further discussion with the Princes, and representatives of British India. The range of subjects to be committed to it will also require further discussion, because the Federal Government will have authority only in such matters concerning the states as will be ceded by their Rulers in agreements made by them on entering into Federation. The connection of the States with the Federation will remain subject to the basic principle that in regard to all matters not ceded by them to the Federation their relations will be with the Crown acting through the agency of the Viceroy."

Federation of All-India.

Connection of States with Federation.

"With a legislature constituted on a Federal basis, His Majesty's Government will be prepared to recognise the principle of the responsibility of the executive to the legislature."

(4) "Under existing conditions, the subjects of DEFENCE and EXTERNAL AFFAIRS will be reserved to the Governor-General and arrangements will be made to place in his hands the powers necessary for the administration of those subjects. Moreover, as the Governor-General must as a last result, be able in an emergency to maintain the tranquillity of the state, and must similarly be responsible for the observance of the CONSTITUTIONAL RIGHTS OF MINORITIES, he must be granted the necessary powers for these purposes."

Reserved Subjects.

"As regards finance, the transfer of financial responsibility must necessarily be subject to such conditions as will ensure the fulfilment of the obligations incurred under the authority of the Secretary of State and the maintenance unimpared of the financial stability and credit in India. The Report of the Federal Structure Committee indicates some ways of dealing with this subect including a Reserve Bank, the service of loans, and exchange policy, which, in the view of His Majesty's Government, will have to be provided for somehow in the new Constitution. It is of vital interest to all parties in India to accept these provisions, to maintain financial confidence. Subject to these provisions the Indian Government would have full financial responsibility for the methods of raising revenue and for the control of expenditure on non-reserved services."

Financial Responsibility.

Reserve Bank.

"This will mean that under existing conditions the central legislature and executive will have some features of dualism which will have to be fitted into the constitutional structure."

(5) "The provision of reserved powers is necessary in the circumstances and some such reservation has indeed been incidental to the development of most free constitutions. But every care must be taken to prevent conditions arising which will

Reserved Powers of Governor-General.

necessitate their use. It is, for instance, undesirable that ministers should trust to the special powers of the Governor-General as a means of avoiding responsibilities which are properly their own, thus defeating the development of responsible Government by bringing into use powers meant to lie in reserve and in the background. Let there be no mistake about that."

"The Governor's provinces will be constituted on a basis of full responsibility. Their ministries will be taken from the Legislature, and will be jointly responsible to it. The range of Provincial Subjects will be so defined as to give them the greatest possible measure of Self-Government. The authority of the Federal Government will be limited to provisions required to secure its administration of Federal Subjects, and so discharge its responsibility for subjects defined in the Constitution as of all-India concern."

Governor's Provinces.

"There will be reserved to the Governor only that minimum of special powers which is required in order to secure, in exceptional circumstances, the preservation of tranquillity, and to guarantee the maintenance of rights provided by Statute for the Public Services and minorities."

Reserved Powers of Governors.

(6) "Finally, His Majesty's Government considers that the institution in the Provinces of responsible Government requires that both the Legislatures should be enlarged, and that they should be based on a more liberal franchise".

Enlarged Councils, with Wider Franchise.

"In framing the Constitution His Majesty's Government considers that it will be its duty to insert provisions guaranteeing to the various minorities, in addition to political representation, that differences of religion, race, sect, or caste, shall not themselves constitute civic disabilities".

Guarantees to Minorities.

"In the opinion of His Majesty's Government it is the duty of the communities to come to an agreement amongst themselves on the points raised by the minorities Sub-Committee but not settled there. During the continuing negotiations such an agreement ought to be reached and the Government will continue to render what good offices it can to help to secure that end, as it is anxious not only that no delay should take place in putting the new Constitution into operation but that it should start with the good-will of all the minorities concerned".

Duty of Communities.

(7) "The various Sub-Committees which have been studying the more important principles of a constitution which would meet Indian conditions have surveyed a considerable part of the structure in detail and the still unsettled points have been advanced a good way to an agreement. His Majesty's Government, however, in view of the character of the Conference and of the limited time at its disposal in London, has deemed it advisable to suspend its work at this point so that Indian opinion may be consulted upon the work done, and expedients considered for overcoming the difficulties which have been raised. His Majesty's Government will consider, without delay, a plan by which our co-operation may be continued so that the results of our completed work may be seen in a new Indian Constitution. If, in the meantime, there

Suspension of Work—Inviting Co-operation.

is a response to the Viceroy's appeal to those engaged at present in civil disobedience, and others wish to co-operate on the general lines of this declaration, steps will be taken to enlist their services".

He concluded by conveying to all on behalf of the Government its hearty appreciation of the services they had rendered, not only to India but to Great Britain, by coming here and engaging in these personal negotiations...

"His Majesty's Government would strive to secure such an amount of agreement as will enable the new Constitution to be passed through the British Parliament, and to be put into operation with the active good-will of the people of both countries".

CHAPTER XI.

THE N.-W. F. P. SUBJECTS-COMMITTEE.

217. THE HAIG COMMITTEE

A Subjects Committee for N.-W. F. Province, known as "The Haig Committee," was constituted by a Resolution of the Government of India in the Reforms Office, dated the 2nd May, 1931, the terms of reference of which were as follows:

Terms of Reference.

"With reference to the report of Sub-Committee No. 5 of the Round Table Conference to make recommendations as to the CLASSIFICATION OF SUBJECTS IN THE N.-W. F. PROVINCE as provincial or central; and on the basis of the classification proposed to examine the allocation of expenditure between central and provincial heads, and to report the extent to which it would be necessary to supplement the provincial revenues in order to meet the charges under the provincial head".

This Committee, after examining at length all the principal heads of departments of the local administration, made a report on the 23rd of June, 1931, with its recommendations in view of the contemplated political form and substance of a Province which was hitherto only worked as an administrative unit.

218. POPULAR FEELING

The popular feeling noticed was "a general demand of the public that the new Province should enjoy equality of treatment and status with the other Provinces," and "a marked feeling of anxiety lest the special conditions in the N.-W. F. Province should be utilized to impair the reality of provincial autonomy".

Views of the Khans.

The Khans of the Province, however, have not always been favourably disposed to political change, though supporting the main political demand, provided their own legitimate interests and special position receive adequate recognition.

Views of Hindus and Sikhs.

The Hindus and Sikhs, though numerically weak, their percentage of population being only 5·90, and 1·76 per cent respectively, had an importance given to them by their wealth and education, beyond what their numbers might suggest and the Sub-Committee of the R. T. C. had accordingly proposed

that they should be given in the provincial legislature a representation three times the figure to which they would be entitled on a population basis. The apprehensions of the minority communities took the form of several suggestions restricting the power of the Provincial Government dominated by a large majority of the Muslims, or maintaining official control of a Constitution on Morley-Minto lines. Another important and influential section recognized what the nature of the new Constitution must be, and was prepared to accept it, provided that the community received, in full, safeguards similar to those that will be enjoyed by minorities in other Provinces. In this connection, please refer to § 157B, stating the viewpoint of the Hindu and Sikh Provincial Conference in terms of its Resolution passed on the 9th and 10th May, 1931.

219. THE CLASSIFICATION OF SUBJECTS

In view of the observations of Sub-Committee No. 5 as noticed in 214 (2), *ante*, the intention of the Sub-Committee was that the five settled districts should constitute the new Governor's Province and that the tribal tracts should continue to be the concern of the Centre. This principle was accepted by the Haig Committee, and made the foundation of their recommendations on the classification of subjects. But, there was nothing in the recommendations to thwart the development of closer relations being established at some future time, between the settled districts and the tribal territory. As regards the tribal area scope existed in the Federation Scheme, contemplated by the R. T. C., if and when the tribes desired Federation "on the same terms as Indian States." The border tribes could be included in the Government of the settled districts "when they desired to be so included and were prepared to submit themselves to the ordinary provincial administration and to pay provincial taxes." For the present "the provincial Government could not expect to take over the functions of the Central Government and supervise the affairs of these outlying territories."

220. PRINCIPLES FOR DETERMINATION OF PROVINCIAL SUBJECTS

The Committee proceeded on the theory

"that subjects which are Central throughout India must be Central also in the N.-W. F. Province".

In cases not covered by the existing Central list, the principle adopted was

"that matters which primarily concern the five settled districts should be provincial: and those which primarily concern tribal territories should be Central".

221. LAW AND ORDER—A PROVINCIAL SUBJECT

The Sub-Committee of the R. T. Conference contemplated the necessity of classifying as Central "all matters of all-India importance": and the administration of Law and Order in N.-W. F. Province might conceivably be a question of defence; but the Haig Committee, agreeing with the view of the Simon Committee held that Law and Order must be a provincial subject.

Thus, the arguments which had prevailed for the transfer of Law and Order in the other Provinces prevailed here also. However, there were certain administrative problems which were peculiar to the N.-W. F. Province, for which other Provinces afforded no parallel.

222. FRONTIER CONSTABULARY

The Frontier Constabulary, a force of about 4,600 men, was formed in 1913, organized on military lines, its superior officers being drawn from India police service. It is located for the most part in a chain of posts just inside the border, but it is maintained "for the better protection and administration of the external Frontier of British India." Their duties are entirely separate from the civil police, and consist of the watch and ward of the district border, "with the object of preventing raids and capturing, raiding gangs and outlaws," and "the collection of early and accurate information regarding border events, and the movement of outlaws." In view of these duties, the Committee reported that the responsibility for its control should be Central and that the real function of the Frontier Constabulary should be made more clear by an amendment of Section 15(1) of the Frontier Constabulary Act.

The minority report of R. B. Thakur Datta laid emphasis on the inseparability of tracts from districts, and was of opinion, citing the view taken by the Royal Statutory Commission at p. 363 of Vol. I, Survey, that

"there must be the closest co-operation amongst the police in the districts, the Frontier Constabulary, and the political agencies."

223. ROADS

The five settled districts are well equipped with metalled roads, the total length being 962 miles. Of these 468 miles are roads considered to be of military importance, and the Pabbi Cherat Road, 23 miles long, is treated as a purely military road. The provincial administration has no civil establishment of its own for the construction and maintenance of roads and buildings. The military Engineering service carries out the work ordinarily done by public works department, and charges a percentage of about 15·5 of establishment charges to the cost of the work. All roads are in other provinces provincial, subject to directions that may be given regarding roads of military importance by the Governor-General in Council under Devolution Rule 12-A: and the same system was recommended for N.-W. F. Province. These powers being ample, there was no necessity to class roads of military importance as Central. Accordingly, it was recommended that with the exception of purely military roads, all roads within the settled district should be treated as provincial. The Committee recommended, on grounds of economy and efficiency, the constitution of a self-contained public works department organisation, in charge of the work on all roads and buildings, and the development of irrigation within the five settled districts of the Province.

224. FRONTIER REMISSIONS

"Frontier allowances," meaning "the tribal allowances which are granted to the trans-border tribes for various considerations connected with the control of the border," will obviously be classed as Central subject. The case of Frontier remissions, which were "deductions from the normal land-revenue, assessment of certain villages near the border," proposed by a Settlement Officer might naturally be regarded as an incident of the land-revenue administration. This system, however, involved a central interest, which could be controlled by the Governor, both as the head of the Provincial Government, and also the defence of the border, and relations with tribes. Connected with this subject of land-revenue administration, is

Jagirs.

"a large number of *Jagirs* which had been granted to individuals in the past for services of various kinds rendered to the Central Government. Some date

from as far back as the time when the Frontier districts were first occupied by the British". "There are also certain military reward grants given to ex-soldiers".

These amount to some 4 lakhs of rupees annually, and the Committee desired to make it plain, that in their opinion,

"Jagirs and grants of this character should not be liable to resumption or modification except under the orders of the Central Government".

225. JOINT ESTABLISHMENTS FOR CENTRAL AND PROVINCIAL SUBJECTS

Cases in which, owing to the "inevitable combination of establishments dealing with trans-border, and Cis-border affairs," joint establishments for the working of the central and provincial subjects are essential, may be left

"to the head of the province, who will combine in his own person the functions of Governor of the settled districts, and Agent to the Governor-General, for the tribal tracts, to harmonise and adjust the practical working of the central and provincial spheres".

The Upper Swat Canal.

(*a*) The headworks of the upper Swat canal and about 1/11th of the irrigated area lie beyond the border. The main part of the canal, however, and of the irrigation is in the Peshawar district. A joint establishment was essential, for the canal to be operated as a whole; and

"this establishment should be controlled by the Provincial Government, but in so far as it is employed on work connected with the irrigation across the border, the Provincial Government will be acting as the Agent of the Central Government in the administration of a central subject in accordance with the principle of Devolution Rule 46."

The whole expenditure on the canal was recommended to be treated as provincial, full provision for the maintenance of the trans-border, as of Cis-border, portion being made in calculating the subvention. The whole revenue of the canal, including that which accrues from the small trans-border area, was to be treated as that contemplated under Devolution Rule 14 (1) (b). While the staff employed on the whole canal would be working under the control of the Provincial Government, the arrangement proposed

"that the irrigation of the trans-border area will remain a central subject, and the actual water-rates across the border and other details of canal administration effecting the rights of the trans-border population could not be revised

without the concurrence of the Governor acting as Agent to the Governor-General."

(*b*) The Deputy Commissioners in all districts are not only district officers, but act as Political Agents in relation to certain tribes across the border. The joint establishment, under this administrative arrangement, was inevitable; and the Committee proposed that, as in the case of the upper Swat canal, the whole expenditure will be provincial, full provision for the part of the establishment which is engaged on central work being made in the subvention.

Deputy Commissioners.

(*c*) The Committee observed that

"forestry operations on a small scale are at present being carried out across the border, and these may be expected to increase." "There are other similar instances in which particular provincial officers or portions of establishments will be performing central work." "Again, the various heads of departments will supervise work in the agencies as well as in the districts, and the agencies will be carrying out central policy."

Forest Department, etc.

It was made clear that in all these cases the centre had a claim on the services of these officers for central purposes and that full provision should be made in the financial subvention.

226. SEPARATE TRANS-BORDER INSTITUTIONS

Where expenditure on establishments could conveniently be separated, the Committee thought this should be done.

"It was undesirable on principle that central activities should be financed from provincial revenues, though administrative considerations may in certain cases make it necessary to disregard this principle. All expenditure, therefore, on the staff of self-contained institutions, such as schools or hospitals, located across the border, should be treated as central". "No doubt the staff would actually be loaned from the provincial cadre, but the cost will be a central debit".

227. PROVINCIAL INSTITUTIONS USED BY TRIBESMEN

The Committee were of opinion that in the case of hospitals, schools, and other provincial institutions used to an appreciable extent by trans-border people, should continue to be wholly provincial, full allowance for their upkeep being made in the subvention.

"It should at the same time be made clear that they are bound to receive, as at present, trans-border people who wish to make use of them."

228. GENERAL LIST OF CENTRAL AND PROVINCIAL SUBJECTS

The Committee was of opinion

"that subjects which are already included in the central list and are, therefore central throughout India, must remain central".

In other cases, the principle of division laid down was

"that matters which are the primary concern of the settled districts should be provincial and those which are the primary concern of the tribal territories and the watch and ward of the border, should be central".

Thus, the Frontier Constabulary, and institutions situated across the border would be central, while ordinary provincial subjects within the settled districts would be provincial. Roads of military importance would be dealt with in accordance with item 6 (b) of the list of provincial subjects and the provisions of Devolution Rule 12-A. The credit of the province would include not only the revenues raised in the province, but the fixed subvention from the centre. In the result, no change was found to be required in the list of provincial subjects, and N.-W. F. Province was thus placed in the definition of its sphere of administration on an exact equality with all other provinces.

229. THE SUBVENTION

(1) The Committee noted that

Financial History of North-West Frontier Province.

"the expenditure on the N.-W. F Province had grown continuously and largely since the constitution of the province in 1901".

The figures showing the total revenue, expenditure, and deficit from 1927-1928 to 1930-1931, are as follows :—

	1927-1928.	1928-1929.	1929-1930.	1930-1931.
PROVINCIAL :				
Revenue	74,90	70,38	73,26	54,72
Expenditure	1,45,58	1,57,30	1,71,16	1,83,85
Deficit	70,68	86,92	97,90	1,29,13
CENTRAL :				
Revenue	12,68	11,97	12,14	10,14
Expenditure	1,48,07	1,56,27	1,68,65	1,71,77
Deficit	1,35,39	1,44,30	1,56,51	1,61,63

The large gap between provincial revenue and expenditure could only be made good by a central subvention: and the Committee's enquiry was directed to the question of the extent to which it would be necessary to supplement the provincial revenues in order to meet the charges under the provincial heads.

(2) The Committee recall that

" the province was called into existence not as the result of any popular demand for a separate administration...but for the reasons of general Frontier Policy for which the Central Government was responsible. Non-official view now did not favour re-amalgamation with the Panjab but even this was unobjectionable if the Central Government was not prepared to finance the separated province fully."

Province Constituted on Grounds of Frontier Policy.

(3) The Committee recognised that

"the five settled districts formed too small a unit to be able to carry unaided the heavy overhead charges of a separate administration ".

A Miniature Deficit Province.

They observe that

" there is at present a Chief Commissioner, a Secretariat, a Judicial Commissioner's Court and heads of departments, while the self-contained establishments tend to be on a larger scale than would be necessary if they were parts of a more extensive organisation. It could not be expected that such an administration would be self-supporting. To the existing charges must now be added the machinery of an autonomous province: a Governor in place of a Chief Commissioner, ministers, a legislative council, and unavoidable increases in the Secretariat ".

(4) The natural features of the province were such as to accentuate the deficit. The physical and geographical position of the Province involved considerable expenditure on communications, a large number of institutions per head of populations, and owing to the incidence of crime in N.-W. F. Province and the danger of trans-border raids, and unusually high expenditure was necessitated on police and jails.

Natural Feature Accentuating Deficit.

(5) Another cause of high expenditure was found in the All-India interests which demanded special standards of administration in certain departments. The Government policy was to bring up the standards of administration in the beneficent departments generally to the standard prevailing in the Frontier districts of the Panjab, and that standards of taxation in general should not be higher than in the Panjab. In spite

All-India Interests.

of the heavy expenditure that had been incurred, since separation, on the five districts, "the expenditure on the beneficent and nation-building departments had fallen behind the standards of the Panjab," and the inhabitants claimed that in these respects "the province had suffered by separation."

Subvention for a Fixed Period.

(6) The Committee agreed with the view of the sub-committee of the R. T. Conference, that each financial assignment from the centre should run undisturbed for a period of years, and the subvention grant should not be open to debate annually in the central legislature. The subvention was recommended to be declared under Devolution Rule 14 to be a source of provincial revenue. The centralized control in the past had shown no tendency to keep down expenditure. A period of five years was suggested, with a view to give the Provincial Government a fair opportunity of developing its policy, and its own resources. The total basic figures of the subvention for 5 years were calculated at 117 lakhs.

To these must be added for special schemes for expansion of activities of beneficent departments, also for schemes for other departments submitted to the Government of India, which would require a non-recurring expenditure of 15 lakhs on an average. There would be recurring additional expenditure of police, and provision for ministers, Legislative Council and Secretariat, of about 8 lakhs, and first year's recurring expenditure on other schemes, about 6 lakhs. The subvention recommended was thus 146 lakhs rising each year by 4 lakhs to a maximum of 162 lakhs. The Committee was of opinion that the amount of subvention should be made by rule under the Government of India Act, a Statutory charge on the Central revenues.

R. B. Thakur Datta was of opinion that the main reasons which render it impossible to expect the five districts to be financially self-supporting,.....afford no good ground for the theory that "the subvention from the centre on a large scale should be given away in charity or that the Central Government should have no control or supervision over the expenditure of the vast sums paid annually as a contribution".

230. THE MINORITY VIEW—LAW AND ORDER

R. B. Thakur Datta Dhawan recorded a separate minute of dissent. The difference between his outlook, and that of his other colleagues, was fundamental. R. B. Thakur Datta

recommended that Law and Order should be a central subject, meaning the responsible Central Government as outlined by the R. T. C., "in view of the special circumstances prevailing here," that is to say, the question of Law and Order being inseparable from defence, and tribal affairs, as pronounced by the Bray Committee, when they were concerned with the proposal of a separate province, under the direct administration of the Governor-General, through the Chief Commissioner as Agent to the Governor-General, who could not leave the administration of the tribal tracts to any Provincial administration in charge of the settled districts. The Sub-Committee of the Round Table Conference had, however, started from the position that it was necessary to divide these two areas administratively, and pointed out the desirability of "minimising the resulting inconvenience."

(2). *Special Feature of the Province.*

R. B. Thakur Datta laid stress on the "SPECIAL FEATURES" OF THE PROVINCE, in so far as it would have its Governor with double functions, acting as Agent to the Governor-General for the trans-border tracts, and for Central subjects, and as Head of the Provincial executive for the administered districts. This province was exposed to raids from trans-border territory, and its incidence of crime was high, necessitating the employment of large forces of police and constabulary. No other province had such a number of cantonments or roads of military importance. Its district officers were also in political charge of tribal areas: and its cadre of civil officers was recruited from the political department. Its Judiciary was subordinate not to a Chief Court, or a High Court; and its Legislative Council was to have a nominated element and an official bloc.

(3). *Standard of Administration.*

The standard of administration since the separation in November 1901, had not lagged behind in race of progress, as the Finance Department of the Government of India had been induced to sanction money for the schemes of all-round progress and betterment.

(4). *Security of Life and Property.*

The main problem in this province was the security of life and property, and this was due to the attitude of tribes in trans-border territory, and fanatical outbursts both within and beyond the border. He referred to Frontier expeditions due to "a general conflagration along the whole border witnessed in 1898-1899" (see §§ 66-68 *ante*) also to what occurred when

Afghanistan declared War in 1919: (see §§ 93, and 103-A *ante*):

"when the tribes in the year 1919-1920, according to the border report, committed 611 raids with 293 British subjects killed, 392 wounded, 461 kidnapped and property worth Rs. 21,30,209 carried away".

(5). *The Kohat Tragedy.*

The Hijrat movement was due to the Khilafatist preaching that British India was *Dar-ul-harab*, ruled by the infidels (§ 130 *ante*). He recalled the KOHAT TRAGEDY, as an illustration of the civil authorities being helpless "as the whole police and constabulary were of the same community, (see separate note in § 233), also, the open insurrection in Mansehra Tehsil, Hazara district and the spirit of lawlessness and defiance of authority manifested in Peshawar city, first at the time of the Afghan War of 1919, and later when His Royal Highness the Prince of Wales was there at Peshawar. Another incident was noticed, where

"a Hindu bookseller at Lahore published a pamphlet ("Rangila Rasul"), which was regarded as casting a slur on the life of the great Prophet. The man was murdered in his shop and the assassin was canonised. Propaganda was carried beyond the border, and 500 Hindu and Sikh families, who had for generations lived as *Hamsayas* (dependents), were expelled from their hearths and homes. It was through the intervention of the authorities that they were allowed to return after months of exile".

(6) *Simon Commission's View.*

In view of these facts and circumstances, the minority report laid stress on the view of the Royal Statutory Commission, referring to the Sovereign State of Afghanistan on the other side of the Durand line, that

"in fact, the question of Law and Order, which in other parts of British India is a domestic and internal matter, in the N.-W. F. Province, is clearly related to the subjects of foreign and diplomatic policy and of Imperial defence".

He also supported his views by the opinions of Lord Reading and Sir Samuel Hoare.

(7). *Lord Reading's View.*

Lord Reading referring to "the difficulty in giving exactly the same powers in the N.-W. F. Province as in the other provinces" observed

"that the N.-W. F. Province is a very special Province: you cannot apply general laws to the N.-W. F. Province as you would do to other provinces".

(8). *Sir Samuel Hoare's View.*

Sir Samuel Hoare shared the doubts and difficulties of placing Law and Order under a Minister in an autonomous Province, and the military side of the problem in the hands of another. "In the conditions of the N.-W. F. Province," he observed, "to draw a distinction between civil unrest of various kinds and something which develops very quickly into a military operation."

Sir Dennys Bray's Opinion.

Sir Dennys Bray, the Foreign Secretary and Chairman of the Frontier Enquiry Committee, who was the only witness examined by Sub-Committee No. 5, looked at the question from its all-India aspects. He said that

"from that angle it is seen that the affairs in the districts very often have their unexpected repercussions in the tracts".

He thought that,

"with regard to the Frontier Province, the protection of minorities, and the safeguarding of the safety, and tranquillity of the province were all-India interest".

CHAPTER XII.

THE COMMUNAL QUESTION

231. THE COMMUNAL QUESTION

Minority and their Apprehensions.

It would be noticed that minority report of Rai Bahadur Thakur Datta, who was a recognised leader of Hindu public opinion in N.-W. F. Province since his retirement from Government service in 1909, up to his death a few years ago, stresses the "special features" of N.-W. F. Province, and in view of the security of life and property, which is the real essence of all good Government, being in danger from fanatical outbrusts within and beyond the border, he inclined to the view that Law and Order in this miniature province, which is dependent upon grants from Central Government, must be a central and not a Provincial subject. This control was sought in view of the apprehensions of the minority, that "the whole administration is practically run by the dominant community." *If the administration is based on communal lines,* without regard to efficiency and merit, the Hindus would be nowhere, and they would be excluded from one department after another. Special safeguards were necessary for the due protection of Hindu and Sikh minority communities, and a 30% representation in Legislative Councils, and services was demanded by witnesses who sent their statements to the Haig Committee. The "Frontier Nationalist Hindu Federation," in its Resolution, dated the 10th November, 1931, demanded "30% representation of Hindus in the provincial cabinet, the provincial legislative council and local bodies." Also, "future recruitment for services in the province strictly open for competition, failing which a reservation of 50% for minorities in the police, and 33% in all other services." This is the opinion of "advanced Hindus," who want "joint electorates throughout India."

232. VICEROY'S ANNOUNCEMENT REGARDING MINORITIES

The Viceroy's announcement, dated the 12th May, 1930, on the Round Table Conference plan of the constitutional and constructive evolution of India's political future, in the attainment of a Dominion

Status under British Empire, was most disappointing to Congressmen. But minority communities in general, and Mohammedans in particular, had been heartened by the Viceroy's declaration that the development of India's political life depended upon the solution of the future position of minorities. Likewise, the Hindu and Sikh communities in N.-W. F. Province felt assured that no solution of the political problem will be come to which did not command their consent, or give them an adequate sense of security. The Hindus and Sikhs in N.-W. F. Province were no less "Nationalists" than their co-religionists elsewhere, but in view of the border conditions, and "the violent nature of the Pathan populace," they claimed a special provision in the constitution safeguarding their minority interests. The Simon Commission found witnesses everywhere emphasising communal difficulties. No doubt the existence of these differences and difficulties helps to bring in the indefinite continuance of a large British element in the public services, and hence political dreamers, or "advanced Hindus" as some are pleased to call themselves, look upon other Hindus and Sikhs, who apprehend that they will be great losers in honour, respect and prosperity, if self-rule, or an autonomous provincial administration came in without adequate safeguards for the minority communities, as "Communalists" or "reactionaries," or contemptuously as "toadies."

233. COMMUNAL RIOTS IN NORTH-WEST FRONTIER PROVINCE

It is not pleasant to recall the memory of communal riots in N.-W. F. Province: but the topic of the security of life and property, and the administration of Law and Order would not be complete without mentioning the few big events in N.-W. F. Province indicating the possibilities of unfortunate clashes of a most violent nature, especially if a provocation of a religious type is present to fan the flames to an uncontrollable fury. Generally speaking, the riots in N.-W. F. Province have been due to religious susceptibilities and intoleration of views, and have not taken their origin in political differences, or social frictions but they all exhibit a reckless disregard of security of life and property, which should be the chief concern of good citizens.

A most appalling riot occurred on September 9th and 10th,

1924, in Kohat, N.-W. F. Province. Here Hindu-Moslem relations had not been of the friendliest for some time on account of forced conversions and abduction of women. About this time, the Sanatan Dharm Sabha, Kohat, the Secretary of which is one Jiwandas, distributed a pamphlet which was calculated to wound religious susceptibilities and was most offensive in tone. The poem was said to be a reply to an equally offensive anti-Hindu poem published in a Moslem news-sheet. On the 2nd September, the Hindus however passed a resolution regretting their error and requesting pardon, but the provocation was too great and the more fanatical among the Mohammedans were not satisfied. On the 3rd September, a crowd led by a Maulvi approached the Superintendent of Police, and the Assistant Commissioner, a Mohammedan gentleman, and demanded drastic action. The latter thereupon called on Jiwandas to execute a surety-bond for Rs. 10,000 with ten sureties, and detained him in custody during the Security proceedings. On the 8th September, Jiwandas was released on bail. Protest meetings were at once held in the mosque by Mohammedans. On the previous night the Mohammedans had taken the oath of divorce; that is they had decided to take the law into their own hands if the Deputy Commissioner did not redress their grievances over the insult to their religion. This oath is the most binding oath on the Frontier, and ought to have acted as a warning signal, but the report failed to reach the Deputy Commissioner till too late. On the morning of the 9th, a crowd of about 1,500 men came in an ugly mood to interview the Deputy Commissioner, and after a jirgah lasting till noon moved off away from the city to the Assistant Commissioner's Court, satisfied with the decision that the prosecution against Jiwandas was not to be dropped. The Superintendent of Police made arrangements to post the entire available force of the city police in the streets, and to reinforce them with a force of 60 sowars from the line. Shortly afterwards, however, serious rioting broke out in the main bazaar.... The immediate occasion of the riot appears to have been the panic firing by some Hindus, who, mistaking the clamour of derisive boys for the approach of an angry mob, opened fire on them, killing one Moslem boy and wounding others. On the other hand, the fires which broke out almost immediately afterwards and ended in the destruction of a large portion of the city, were the result of incendiarism on the part of

(1). *The Kohat Tragedy, 1924.*

Moslems who sought thereby to retaliate on the Hindus. Panic reigned. A large number of people was running up and down the bazar, and as the fusilade from the house tops continued, the police put an end to firing which was causing casualties to Mohammedans in the street and also to the police. Now looting in the bazar became general, all Hindu shops being overturned, the contents piled on the streets, and the shops set fire to. On the outbreak of the riot, the authorities acted promptly and well. By nightfall the situation was so far under control that the crowds had been driven out of the city, the fire had been partially extinguished. and such efficient arrangements had been made to keep the tribesmen from coming into the district that Kohat was saved from an even worse disaster. The night passed quietly. The morning of the 10th opened with no sign of disturbance, and the task of extinguishing the fires was resumed, but the peaceful appearance of the night and early morning proved deceptive. The provocation they had received and the heavy casualties they had suffered had made a deep impression on the feelings of the Moslems, and had created in them a desire for retaliation which later in the day led to fresh outbreaks of disorder. A crowd of villagers from the surrounding country reinforced by Mohammedan Kohatis came pouring in. Inroads had previously been made in the mud-wall surrounding the city. The occupants of a Hindu house, apparently disturbed by the gathering crowd opened fire. This was the signal for a general resumption of firing which burst out from all over the Hindu mohalla. The Moslems in return began a wholesale plunder and incendiarism. Before noon fires had been lighted at various spots on the outskirts of the Hindu mohalla, and the Deputy Commissioner and the Brigade Commander, thinking that there was grave danger for the wholesale slaughter of Hindus, made a concerted effort to remove all the Hindus. The Hindus were first removed to the cantonment and later on there was an exodus of the whole Hindu population of the town to Rawalpindi.

A full, open and independent Public Enquiry was demanded. M. Gandhi wanted to visit Kohat in company with some Hindu and Moslem leaders to bring about peace and friendly relations between the two communities, but the Viceroy refused him permission. Request for such an enquiry was made by many Hindu leaders, notably by Pt. Madan Mohan Malaviya, but the reply of the Viceroy was a frank refusal of a public enquiry. Departmental in-

vestigation was held by the Government and on December 8th, the Government of India issued a Resolution on *the Kohat riot*, finding that

"the publication of such a poem, which to Moslems could hardly seem other than blasphemous, would be mischievous and provocative anywhere. Its publication in the N.-W. F. Province, where the Hindus are in a small minority, among a Moslem people, intensely religious in feeling and observances, and in a town already troubled by communal feeling, and hardly three miles from fanatical tribal territory was, if deliberate, *an act of wicked folly*."

The Government of India "noted with grave concern that some members of the forces of Law and Order were involved in looting", severe disciplinary action was taken on several individual cases having been brought to light. But on the whole,

"while the Government of India had been able, in the light of after-events, to point out instances where a different course of action would have been wiser, they desired it to be clearly understood that they considered that the authorities faced a most difficult situation with coolness and courage." "The loss of life and property in these riots was deplorably great, but the provocation that started the rioting was so grave, the retaliation so fierce, and the whole environment so inflammable, that without coolness and courage on the part of the authorities the loss might easily have been far greater. Credit is due to them for localising the trouble within Kohat and its environs, despite the Hindu-Moslem unrest that was set up at once not only in the district but throughout the province, and in particular for restraining the trans-frontier tribesmen from descending upon Kohat."

Arrangements had been made to assist the rebuilding of houses by means of loans, and in special cases, where the local authorities were satisfied as to the need for this course, the interest on these loans was remitted. The Chief Commissioner opened a charitable fund, the proceeds of which were used to help the indigent sufferers of both communities to make a fresh start, and for similar purposes. The police of Kohat was strengthened by the addition of a punitive force. The settlement arranged by leaders of both communities in December 24, proved infructuous. Subsequently, however, on the 12th January 1925, the Hindus and Mohammedans of Kohat signed a reconciliation agreement of which the following is the text:

"We the representatives of the Moslem, Hindu and Sikh Communities of Kohat, being desirous of affecting a settlement of all matters among the various communities connected with the Kohat disturbances of September, 1924, hereby agree as follows :

(1) that all criminal cases connected with the Kohat disturbances of September, 1924, be dropped and given up, and no criminal cases of any sort be put

forward in the guise of civil suits against one another, either individually, or as a community.

(2) that the Hindus, Sikhs and Moslems will raise no objection and put no obstacle in the way of the restoration and reconstruction of their respective places of worship which existed before the disturbance: . . .

(3) that the Moslems, Hindus and Sikhs will give one another full and genuine assistance in restoring to its owner any property seen and clearly identified by the owner to be his and for which he can offer clear and legitimate proof.

(4) that the Moslems, Hindus and Sikhs sincerely assure one another that there will be no organised boycott due to the disturbance on either side in the Kohat city or its suburbs, and that every effort will be made to maintain friendly relations with each other."

The agreement was signed by the Deputy Commissioner, and by the representatives of the communities concerned.

(2) *Dera Ismail Khan Riot.*

A communal riot occurred in Dera Ismail Khan on the 12th August 1931. By his order of the 25th August 1931, the Hon'ble Chief Commissioner, N.-W. F. Province, had appointed a Commission of Enquiry to report on the origin and causes of the communal rioting and the course of the outbreak and measures taken to deal with it. The Commission consisted of the following members:

(1) Mr. J. Almond, I.C.S., President.
(2) Khan Bahadur Abdul Ghaffur Khan of Zaida, Member.
(3) Rai Bahadur Diwan Chand Obhrai, Member.

The main report, mentioning matters regarding which the Commissioners had given a unanimous finding, and which was accepted without comment by the Governor-in-Council is briefly to the following effect:

On the morning of the 12th August 1931, a quarrel arose between a Hindu shop-keeper, and a Beldar of Municipal Committee, outside the former's shop, over an alleged abuse of the prophet uttered by the Hindu shop-keeper, which developed considerably. A crowd of Hindus and Mohammedans had collected. There was only one policeman on duty in the bazar. A neighbouring shop-keeper went to the police station and reported that trouble was going on in the bazar. A Mohammedan Assistant Sub-Inspector rushed to the scene, with ten police constables. By this time a Mohammedan had been injured and was lying on the ground in the bazar, and the Hindu

shop-keeper, his father and brother had been locked inside their shop by other Hindus in order to save their lives. There was a large crowd of Mohammedans round the door of the shop demanding that the Hindu should be brought out. The policemen on arrival placed a cordon round the shop and sent a telephone message for reinforcements. Shortly after, the City Inspector, and Sub-Inspector arrived on the scene, followed by the Deputy Commissioner, who had received a note from one of the clerks in his office informing him that trouble was brewing in the city. The Deputy Commissioner had picked up the Mohammedan Assistant Commissioner on the way. The Superintendent of Police arrived a few minutes before the Deputy Commissioner. The authorities tried to pacify the Mohammedan mob, in the Bazar Kalan which had by this time reached several hundreds. The Mohammedans were saying that the Hindus had abused the name of their prophet. In addition to this mob in the Bazar Kalan there was also a considerable crowd of Hindus in the Bhatia bazar, and of the Mohammedans in the Nizam Khan bazar. Shortly after the arrival of the Deputy Commissioner these two crowds came to blows. The Deputy Commissioner moved in that direction when suddenly bricks began to be thrown from the roofs of the shops by Hindus who were stationed there. Several persons were injured and the Deputy Commissioner realising that the situation was getting out of hand, went to the police station, and telephoned to the District Officer of the Frontier Constabulary at Tank to send in all available men. Five minutes later when he returned to the bazar, incendiarism had just commenced, and fires began to be lighted at various places in the bazar in rapid succession. Attempts were made to drive the crowds from the bazar, but with the small police force available at that time, little could be done. The Deputy Commissioner himself proceeded down the Bazar Kalan beating off with a stick the Mohammedans who were attempting to loot or burn the shops. When he got to the eastern end of the Bazar Kalan, armed police reinforcements had arrived. However, within the short space of about half an hour many shops had been set on fire, and looting was going on in several bazars. The Deputy Commissioner proceeded along the whole length of the Topanwala bazar and drove off gangs of looters and placed such constables as were available at the entrance of the bigger lanes, on the northern side of the street from which the looters appeared to be coming.

There was also a gang outside the Topanwala gate, which was driven off. In the meantime, fires of considerable dimensions had broken out in other quarters. The police occupied themselves in putting out fires, and keeping the crowds from the streets. When other police reinforcements gradually turned up, they were posted at various places in different bazars. Fires had been lighted, and sporadic looting and arson was taking place in various bazars; and in one place a Hindu was burnt alive. In the afternoon the Frontier Constabulary had arrived from Tank, and the situation seemed well under control, except in Lakkar Mandi, where there was a large amount of very inflammable material. However, shortly after a fresh outbreak took place in the Topanwala bazar. There was an incursion from the Kirri Alizai quarter of a gang which set fire to a large number of shops on the southern side of the Topanwala bazar stretching from about half way down the bazar almost up to the gate. Looting also took place and shots were exchanged between Hindus and Mohammedans. In the evening military assistance arrived from Razmak and two companies of infantry were placed to patrol the road round the city. The fires in the neighbourhood of Lakkar Mandi continued to burn all nights and they were only brought under control next morning. Next morning a crowd of Mohammedans assembled in the Nizamkhan bazar under the impression that one of their mosques had been burnt. During the course of the riots 5 Hindus and 2 Mohammedans were killed. There were 37 injured persons, including 14 Hindus and 23 Mohammedans. The Superintendent of Police, the Deputy Superintendent of Police, one sub-Inspector, one Head Constable, too Sowars, and five foot constables also received injuries. The loss of property was roughly estimated to be about 25 lakhs, but the Commission had no means of checking this figure. According to the police, 226 shops were burnt, and this number was exceeded in the report prepared by the Municipal Overseer. It was alleged that 165 shops were looted. Very few of Mohammedan shops were burnt or damaged.... There must have been something like 40 or 50 separate acts of incendiarism at least. A noticeable feature of the fires was that in practically all cases the property adjoining those to which fires were set was owned by Hindus. There were a few exceptions, but the statement was true on the whole. The allegation that a good deal of incendiarism was done by the Hindu was untrue, and in fact fantastic. The

Commissioners had no doubt whatever that the whole of the looting and arson was done by the Mohammedans.

The Hindus contended that the whole outbreak was the result of some mischief-makers who were waiting for a suitable opportunity to set the Mohammedan mob upon the Hindus. The Mohammedans averred that the occurrence took place as the result of a sudden quarrel at the Hindu's shop who had abused the prophet. Though superficially the relations between the two communities were of the most friendly nature, there appeared to be an under-current of latent hostility between the two parties, probably due in part to the changed position between the two communities, which had taken place since the advent of the British rule. Formerly the Mohammedans were all powerful, and the Hindus were in the position of "Hamsayas". Now however the position had been reversed. The Hindus had become wealthy and powerful and had got the rival community within their economic grip. There had, moreover, in the last few years, been several facts which had tended to increase the bitterness of the feeling. In addition to some particular incidents, the feelings seemed to have been strained somewhat owing to the proposed introduction of reforms into the province. The leading men of Dera Ismail Khan had taken a very active part in the proposals for reforms: R. B. Thakur Datta had strenuously opposed the introduction of reforms into the Province while the majority of the Mohammedan community desired reforms. Another matter, which in the opinion of authorities had had a considerable influence on the relations between the two communities, was the growth of the "Red-Shirt Movement" in Dera Ismail Khan: Another cause of ill feeling between the two communities, which was alleged by the Hindus was that for some time before the riots certain *Maulvis* had been preaching anti-Hindu propaganda in their mosque, but the truth of this version could not be verified. In the presence of these predisposing causes, when the trouble began between the two communities, the Mohammedans were much more ready to join in it, and the bitterness made the damage which was caused by them much more extensive than it would otherwise have been. There was a considerable divergence of view as to the immediate cause of the riots: but as regards the attitude of the two crowds afterwards, the commissioners had no doubt that the community which was threatening trouble in Bazar Kalan was the Mohammedan com-

munity. It was quite clear that the moment the trouble assumed alarming proportions, all the shop-keepers closed their shops, and the Hindus to a great extent retired from the Bazar Kalan into the Bhatia bazar. There is a difference in the Hindu and Moslem view-point regarding the next stage of the riots, namely, the throwing of the brick-bats from the roofs. According to official witnesses this was commenced from the Hindu side. At a later stage Mohammedans retaliated, and then bricks were thrown freely from both sides. The Hindus maintained that their action was defensive, but the majority of the commissioners, disagreeing held that they were aggressive, or at least foolish in their conduct. However, the commissioners were agreed that the looting and arson in four main bazars was done by Mohammedans only, and the offenders were no doubt the residents of the Mohammedan mohallas which occupy the whole of the northern half of the city, and the subsequent acts of arson and looting in the Topanwala bazar were held to be the work of the residents of the Kirri Alizai quarters.

Bitter comments had been made by the Hindus against the action of the officials, mostly Mohammedans. They complained that the Hindu shop-keepers had not been taken to the police station at the earliest possible moment; that no lathi-charges were made at the earliest stages of the riot; and no fire opened on the Mohammedan crowd of rioters; that no arrests were made of the offenders, which would have deterred others taking part in the riot. They complained that the Hindus were not allowed to go into the bazar in order to protect their shops, although the Mohammedan crowd was practically free to enter. They said that the authorities were negligent in the conduct of searches after the riots were over : they alleged that the Mohammedan officials were winking at what was going on, and in some cases actually encouraging it and taking part in it. In view of the debatable nature of these allegations and the detailed reports upon these incidents available to the public in the N.-W. F. Province Government Gazette, Extraordinary, dated the 1st July 1932, I have not thought it necessary to enter into the matter at length here in this work. The general effect of the work of all officers has been held by the main report to be "undoubtedly excellent", and the Government has accepted this view of the matter. The only differences worth considering were on three points: (1) Whether abuse of the Prophet was or was not actually uttered by the Hindu

shop-keeper. The majority report held that there was no such abuse in fact, but a Magistrate's finding to that effect was supported on appeal by the Sessions Judge, Arbab Wali Mohd. Khan, and the Government adopts this view. The motive which led the Hindus to throw bricks, is a disputed point, and so is the conduct of police, but the less said about this matter at this stage the better in view of the Government's review of the whole case The only unsatisfactory feature of the case was that in spite of the best efforts of the authorities no amicable settlement of the question of compensation for the incendiarism, and the loot, was arrived at, although the unlawful assembly of Mohammedan rioters had set fire to a very large number of shops from 40 or 50 different centres of fires, deliberately, all over the four bazars, after the arrival of the authorities on the spot, and altogether their property worth about two million roughly had been burnt or looted without any the least legal justification, whatever view one may take of certain disputed facts.

CHAPTER XIII.

THE ROUND TABLE CONFERENCE—Contd.

234. DEBATE ON THE ROUND TABLE CONFERENCE

In the House of Commons, on the 26th January 1931, the Premier initiated the debate on the Round Table Conference by moving an adjournment. This was done to enable a statement to be made on the Round Table Conference. He emphasized the fact that the position had been "*the result of evolution taken step by step, each with its inevitable consequence of a further step being taken later on*". In 1908, the King-Emperor made the Proclamation to Princes and peoples of India, read by the Viceroy in the Durbar held on the 2nd November, 1908; and, in that Proclamation this sentence occurs:

The Premier on the Basic Pledges.

"From the first, the principle of representative institutions began to be introduced and the time has come when, in the judgment of my Viceroy and Governor-General and others of my Councillors, the principle may prudently be extended".

Later on, when the next step was taken, a Proclamation was made to the people of India on the 23rd December, 1919. There it was said:

"The Act of 1861 sowed the seed of representative institutions and the seed was quickened into life by the Act of 1909. The Act, that has now become law, entrusts the elected representatives of the people with a definite share of the Government and points the way to full responsible Government hereafter".

Later, in the same Proclamation it is said, talking of the benefits that the British Government had given India.

"But, there is one gift which yet remains and without which the progress of a country cannot be consummated—a representative of the people to direct her affairs and safeguard her interests. The defence of India against foreign aggression is the duty of common Imperial interest. The control of domestic concerns is the burden which India may legitimately aspire to take upon her own shoulders. The burden is too heavy to be borne in full until time and experience have brought the necessary strength, but opportunity will be given for experience to grow and for opportunity to increase with the capacity. Without it the work of British India will be incomplete."

One further final declaration was quoted from the Ninth Clause of the Revised Instructions issued to Governor-General of India by

an Order-in-Council on the 9th March 1921, and published in India on the 8th June of that year. This is how it reads:

"For above all things, it is our will and pleasure that plans laid by our Parliament for the progressive realisation of responsible Government in British India as an integral part of our Empire may come to fruition to the end that British India may attain its due place amongst our Dominions."

There is also the speech made by Mr. Baldwin, as Premier in 1927, in which he says:

"Since that great stride towards the goal has been made and in all joint activities of British Commonwealth of Nations India now plays her part, and in the fullness of time we look forward to seeing her on equal partnership with Dominions".

235. VARIATION OF THE PLAN

In the Round Table Conference sittings took place for ten weeks from the 12th November until the 19th January. This Conference was held at the result of pledges given from time to time, whilst the enquiries were going on in India. Consultations took place, but the Conference was not precisely the same thing as anticipated, there was a little variation of the first plan of the joint committee of the House of Commons and the House of Lords, and some Indian representatives come over not so much in negotiating, perhaps as in a consultative capacity. This variation of the latter was in order to secure effectively the operation of the spirit of the Conference. The raw material was what was known as the Simon Report, on that Report the Conference had the benefit of the comments of the Government of India, also of the report put in, and the advice given by various Provincial Governments like the Panjab Provincial Government regarding the very intricate problem of minority representation in the Panjab. There was also the Nehru Report.

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The Premier stated that

"the purpose of the Conference was to get first of all, by personal contact, the conviction put into the hearts of those Indians, at any rate who came here, that not only were the Government but Parliament, the three parties and both Houses were honestly endeavouring to meet the legitimate expectations of India", and that "when the problem was brought down to the actual realities of building up architectural ideas in form of stone and lime so to speak". "The third advantage was this. The Conference had met not to frame a constitution, but to agree upon the principle, which, in advance, should be applied to the Indian

Government, and which should be made the foundation of any constitution that should ultimately be granted".

In order to do that work, there was a preliminary open meeting of the whole Conference. Then the whole Conference met in Committee and the Conference divided into Sub-Committees, of which there were nine. The reports were published in the Blue Books; and, everything stated therein was provisional, upon which it was believed a structure can be built up.

237. QUESTION OF RESPONSIBILITY AT THE CENTRE

As regards the Conference, the first formidable question was the question of responsibility at the Centre. Some means had to be devised of giving some responsibility to the Central Government, for without it no agreement was possible. There was no difficulty about the provinces, and the provincial sketch was drawn out by Committee No. 2, where it was proposed to establish ordinary representative institutions, provisionally increase the seats in the Legislatures of the provinces and lower the franchise provisionally, so that it may be increased by anything between 10 and 22 per cent. Then the executive shall be held jointly responsible to the Legislature just on the model of ordinary western representative institutions.

238. THE CENTRAL LEGISLATURE

The declaration of the Princes had removed a great deal of the difficulty about the problem of central responsibility. The Princes declared that they were now prepared to come into a federation and further they were not merely dealing with British India, but with States as well. The Central Legislature would be representative of the three elements, British India, States, and Governor-General representing the Crown, being the custodian of certain reserved subjects. First attempt had been made in scheduling and cataloguing the subjects, for determining the powers of the central body. The subjects of Defence, external relations, were to be reserved subjects under the control of the Governor-General. The transfer of responsibility for finance to the executive is the guarantee and safeguards that had to be put in with regard to the finance of reserved subjects.

239. GUARANTEES AND SAFEGUARDS

To meet the Secretary of State's obligations for loans and such things in India's interest, and as representative of India, and also in

view of the general position of confidence and credit, a federal reserve bank, outside political control was to be established. Then there were some general safeguards, the maintenance of tranquillity, Law and Order, etc., which contemplated reserve powers in the background to be used in the event of emergency aimed at protection and stability of the State. It was not meant to be used in ordinary times, but simply to be latent, and almost forgotten, regard being had to the success of the working of the constitution.

240. SPECIAL PROBLEMS

Then there were certain special problems. It had been proposed by every community, from the Mohammedans to the tiniest minority of Indian Christians, that the draft constitution must contain a *Declaration of Rights of individuals* irrespective of caste, creed, community or anything else, with some reserve power and some safeguard given to the Government of the provinces or Governor-General of India. Subject to these provisions a central executive responsible to the legislature should be established and recognised. This *Executive* or *the Ministry* shall be appointed by the Governor-General in precisely the same way as His Majesty himself appoints His Government in Great Britain, and to secure that, there will be instructions in the Instrument of Instructions issued to the Governor-General as soon as this condition of affairs was in being in India. Another group of problems which will have to be dealt with in the constitution were *the Minority problems, and Community problems.* These divide themselves into two divisions:—The general problem of minorities, and of various communities, and provisional aspects of those problems. There must be constituencies earmarked as to community, or a common register in the constituencies with a certain percentage of representation guaranteed to certain communities.

"If India is going to develop a robust political life, there must be some room for national political parties based upon conceptions of India's interest and not upon conceptions regarding the well-being of any field that is smaller or less comprehensive than the whole of India".

There were two great provinces peculiarly subject to the demand of water-tight compartments in Legislature, and in the executive, *viz., the Panjab,* where there are three important communities, Mussulmans, Hindus, and Sikhs; and *Bengal,* where there is contest between Mussalmans and Hindus. In the Panjab. the Mussalman

population is 55% of the Panjab population, but owing to qualifications required in order to get the name on register the Mussalman registers showed only 46%..... and the claim is that representation in the Provincial Legislature should not be representation as shown by population. And with the Sikhs the question of weightage comes in and so on. An agreement on this point could be made which will be satisfactory to all sides ... About Burma, the principle of separation had been accepted.

"The North-West Frontier Province was under the proposal of the Committee to become a Governor's Province with certain modifications".

The creation of Sind as a separate Province depended on the report of an expert committee on finance.

241. THE RESOLUTION AT THE ROUND TABLE CONFERENCE

The Premier then read out the Resolution passed at the Round Table Conference, "unanimously":—

"That these reports, provisional though they are, together with the recorded notes attached to them, afford in the opinion of the Conference material of the highest value for use in the framing of a constitution for India, embodying as they do—a substantial measure of agreement on the main ground plan and many helpful indications of points of details to be further pursued and the Conference feels that arrangements should be made for, pursuing, without interruption, the work upon which it has been engaged, including the provision in the constitution of adequate safeguards for Mussalmans, Depressed classes, Sikhs, and all other important sections of community."

He concluded by observing that

"the general survey had been made, and the line laid down for filling in the details,"

and so he asked the House

"to agree to the Government pursuing the problems in detail in consultation with representative Indians and constitutional experts".

The stage had almost been reached for beginning the plans with trial drafts. If this was refused, the prospect was Repression, not of organisations, or of bodies, but of the masses of people—a great proportion of these masses being women and children. Instead of subduing by force not only the people but the spirit of time, the Premier wanted "to bind India by bonds of confidence and make her happy within the Empire and Commonwealth," and wished "to hear her praise Britain in gratitude and remain with it in pride."

242. OTHER SPEAKERS

SIR SAMUEL HOARE observed that there were three main results of the labours of the sub-committees: (1) The emergence of an All-India Federation as a practicable programme; (2) the general agreement on the introduction of responsible Government in the Provinces; and (3) the acceptance of the necessity of safeguards, to a greater or lesser degree. The questions of Defence, Finance, and Minorities had presented great difficulties. Foreign affairs and international obligations must be controlled by the Crown. Internal security and financial stability must be safeguarded, and protection of minorities must be undertaken; unfair discrimination of British traders must be prevented and the rights of services preserved. Lastly the constitution must be maintained on a sure and stable foundation. The fundamental interests in India of British Government must not be abandoned. All parties in the House wished to see a peaceful and contented India, working in partnership and co-operation with British Government. However, he did not expect peace with irreconcilable extremists.

Sir Samuel Hoare.

243. MR. ISAAC FOOT

MR. ISAAC FOOT was well aware that there were all kinds of anomalies in the R.T.C. proposals, but there was no anomaly so great as a Government of India by the British people. The difference between a friendly India, and an alienated India was so great that no statesman could appreciate it and no economist could compute it. He emphasised the importance of not delaying the carrying on the work of the Conference. The difficulty with India was that the common sentiment was opposed to authority, and after Gandhi was imprisoned, prison in India meant a badge of honour. The Conference would fail, if responsibility was not laid at the centre. The Princes would only federate with a self-governing British India. He pinned his faith to the youth and the women of India for the settlement of the minorities problem. The demand for self-government was mainly a claim for Status: also for liberty: English literature had given Indians the love of liberty, and the spirit could not be crushed. There must be a safeguard for the protection of the Depressed classes. England had given the greatest blessings of peace to India, and a common language and recognition of Justice. Its greatest

task was to bring India within the Commonwealth and not to allow the long and honourable association to be broken in the midst of anger, hatred, and ill-will.

244. MAJOR GRAHAM POLE

MAJOR GRAHAM POLE considered that the release of M. Gandhi and others showed great courage and foresight. British Government was making an attempt to redeem pledges often given. This would open a new chapter in the History of India.

245. SIR JOHN SIMON

SIR JOHN SIMON pointed out that the Conference had accomplished two very great things: *firstly*, the Princes had been brought into a discussion not only with British, but with their own British Indian compatriots on the constitutional questions; *secondly*, it had begun the work of bringing British politicians face to face with the stupendous difficulties of the Indian problem, and succeeded in getting rid of suspicion and misunderstanding in a remarkable way. He was not trying to minimise the results achieved, but felt that until more progress was made on the heads of central legislature, paramountcy, communal problem, and the question of representation of minorities in the executive, it was impossible to feel quite confident how the proposals would work. The safeguards were a vital matter.

246. MR. CHURCHILL

Mr. Churchill considered that the handling of Indian affairs, during the last eighteen months, had been most unfortunate, and had already led to results which would be long lamented. The procedure decided upon when the Simon Commission was appointed had not been observed. The Viceroy's announcement of November 1929, was not called for. The Simon Commission report had been shelved, and its members excluded from the Conference in vain hopes of persuading Indian extremists to attend. The Conference which was not an authorised constituent assembly came to an utterly unforeseen conclusion, setting aside the Simon Commission's report and the views of the Government of India. The rapid landslide of British opinion and policy had been accompanied in India by a steady development of unrest, disorder, disloyalty and assassination. Mr. Churchill declared that he accepted the Preamble of the Act of 1919

and also Clause 41 of the Act. He said that the former showed the ultimate goal to which India might aspire and the latter the right of Parliament to advance or restrict the development of constitutional Government. Mr. Churchill declared that two centuries of effort and achievement had given Britain her own rights in India, and when a nation found the whole position in jeopardy, there would be a sharp awakening and reaction of the most vehement character, that would sweep the country.

247. MR. FENNER BROCKWAY

Mr. Fenner Brockway criticising Mr. Churchill's policy, said that the extraordinary development since the beginning of the R. T. C. in public opinion in Britain was largely due to the way in which Indian delegates had put their case, but a much greater force was the strength of the present movement in India. The unseen powers at the R.T.C. had been Mr. Gandhi in jail, and behind him sixty-thousand others. Mr. Brockway welcomed the release of Mr. Gandhi and others, and concluded with the statement that Britain ultimately would have to recognise India's right to full self-government and full self-determination.

248. MR. LANE FOX

Mr. Lane Fox declared that Mr. Churchill was ignorant of the realities of the situation. He did not wish to take a pessimistic view, but it would be fatal if Government encouraged the belief that there was any prospect of immediate success from the Conference.

249. EARL WINTERTON

Earl Winterton said that the two points which arose as a result of the Conference were, could the recommedations be worked out eventually into a constitution, for India had to be governed, not only with understanding, but with a firm resolve to make the new plan a success.

250. MR. OLIVER STANLEY

Mr. Oliver Stanley said that a movement like a Nationalist movement was not to be put down by a few flamboyant speeches or arm-chair critics.

251. MR. BALDWIN

MR. BALDWIN (Conservative Leader) intervened as he differed from his colleague Mr. Churchill. The whole situation had altered because contrary to expectations, light had been thrown on the possible creation of a federal system of all India. The imagination of the whole country had been caught by the ideas of the United States of India. Therefore, they were on entirely fresh territory. There had been very little agreement at the Conference, but nonetheless the striking fact was the agreement in principle that they should work for a federal system. Every effort in his power would be used to bring about that federal constitution. He would face the difficulties in the hope that neither British nor Indian statesmanship was bankrupt. He did not believe that there will be any permanent solution of the question of Indian Government until there was complete co-operation, understanding and good-will between Indians and the British. The difficulty of adjudicating fairly and rightly between the different races and creeds, principally between Hindus and Moslems was enormous. The task of those who had to go forward and progress in Government was not an easy one: but the difficulties had to be faced.

252. MR. WEDGWOOD BENN

Mr. Wedgwood Benn (Secretary of State) commiserated with Mr. Churchill for the universal popular disapproval of his views by the House. These views were impossible for persons, who saw the situation as it actually was. To deny the principle of central responsibility in Indian Government, was to fly flat in the face of all pledges which had been given not only by members of all parties but by representatives of the British Government. These pledges stand. They must be accepted, and they bound this and all the future Governments. The responsibility had to be shouldered, and carried out with local knowledge, and sober judgment. He would repeat what was mentioned by the Prime Minister regarding safeguards. These must be so framed as not to undermine the responsibility of ministers in the provinces and not to enable them to take shelter behind reserve powers of the Governor. That is to say, the powers of the minister must wax, and the reserve emergency powers of the Governors must be kept in the background and wane. This had to

be strengthened by a helping hand. The second practical reason compelling self-government being given to India was that no Government can survive unless it has the moral support of public opinion. He said

"When the Congress attack us and impugn our good faith they get an ally in Mr. Churchill and his friends." "Mr. Churchill's policy is condemned on four grounds: *firstly*, it is blankly defiant of the pledges made to India. *Secondly*, you cannot *practically* base a Government upon it. *Thirdly*, you cannot *morally* base a Government upon it, because it lacks the assent of the governed. *Fourthly*, it means Government by force which public opinion in this country will not stand."

The Parliament plan is the outcome of the Conference; whose work has been embodied in the resolution saying that certain agreements have been reached and much work remain to be done. The agreements reached really amount to three. It is an understanding that, in the interests of India, and for some time to come British service should be enlisted in order to help India to establish an efficient and sound form of self-government. On the part of the Princes it is an undertaking to enter a general federation. On the part of Parliament, it is an undertaking always provisional and on the condition that the picture should be completed that this Parliament would confer upon the Government of India central and local responsibility. *Safeguards, federation, and responsibility* covered three sides of the triangle. There cannot be a federal India without giving responsibility at the centre. The Princes would not be willing to enter a federation unless there was responsibility conferred at the centre. Henceforth we must talk of one India, the greater India and the federal India comprising the Princes and the Provinces. If much had been done, much remained to be done. The gain was the settlement of the equal Status of Indians, and a further gain was the improvement of the relations between Britain and India, including the Commercial relations. The trade between Britain and India is as important to India as Britain. But one of the greatest gains of the Conference was to establish political understanding and goodwill between the two peoples. He concluded

"Best of all, there was the direct contact between Indian people and representatives of Parliament that was counted as the greatest gains of the Conference."

It was the fixed policy of the Government to continue this contact, and they

"also hoped to extend the contact so as to associate those who, though great leaders in their own country, failed when invited to come forward to give us their advice."

The British Government had got moderates on its side; it was now contemplating to have the extremists also to come to a clear understanding with it.

CHAPTER XIV.

SECOND ROUND TABLE CONFERENCE.

253. DISTURBANCES IN INDIA

In the beginning of 1931, picketing continued to be the main Congress activity, followed by arrests and convictions. There were "Independence Day" anniversary demonstrations and processions in all big towns, especially in Bombay and Calcutta, under the auspices of the "War Council," and other allied associations, in defiance of police arrangements. The police dispersed the crowds collected at open places by lathi-charges. In some places meetings were held and stone-throwings occurred, which the police replied, by opening fire on the demonstrators, after warning. The police dispersed processions at Karachi by lathi-charges: Congress organisations in Sind were declared as unlawful under the Criminal Law Amendment Act. The Acting-President of the Congress Mr. Vallabhai Patel was gaoled in Bombay: Mrs. Kamala Nehru, wife of Pt. Jawahar Lal Nehru, was sentenced at Allahabad to undergo imprisonment under Criminal Law Amendment Act, and the unlawful Instigation Ordinance. Mr. Ram Das Gandhi, son of Mahatma Gandhi, was convicted and imprisoned at Surat under Salt Act. Mr. Satyamurtti and eleven others at Madras were sentenced on a conviction under Section 144 Cr. P. Code, and Mr. Subhas Bose was arrested in Calcutta. Serious disturbances were reported after the Sholapur executions: The police were assaulted, and were obliged to open fire at Jhalda, in Manbhum district.

Events in January 1931.

254. VICEROY'S REFERENCE TO CIVIL DISOBEDIENCE MOVEMENT

On the 17th of January, Lord Irwin in his address before the Legislative Assembly reviewed the events which happened in India under the Civil Disobedience movement, which he characterised as a menace to Government. Referring to Mahatma Gandhi, the Viceroy said:

"However mistaken any man may think him to be, and however deplorable may appear the results of this policy associated with his name, no one can fail

to recognise the spiritual force which impels Mr. Gandhi to count that no sacrifice is too great in the cause, as he believes, of India that he loves, and I fancy that, though he on his side too, thinks that those who differ from him to be victims of a false philosophy, Mr. Gandhi will not be unwilling to say that men of my race, who are today responsible for the Government in India, were sincere in their attempt to serve her. It has been one of the tragedies of this time that where the ultimate purposes have perhaps differed little, if at all, the methods employed by some should have been, as I conceive, far more calculated to impede than to assist the accomplishment of that largely common end. And, deeply as I crave to see the dawn of a happier day in India, I am bound, so long as the movement designed to undermine and sap the foundations of Government holds the front place in the programme of the great Congress organisation to resist it to the uttermost of my strength".

255. PRIME MINISTER'S DECLARATION OF POLICY

As noticed in the earlier chapter in §§ 215, 216, *ante* Mr. Ramsay MacDonald, Prime Minister, made a most important Declaration of Government policy on the 19th January 1931, as to the R.T. Conference aiming at the achievement of the self-government of India, on lines of solution of its complex problems, by the consultation of Indian representatives of all sections. He had referred to repeated pledges which stood; explained the communal, and minority difficulties to be met; laid down the outline of a federal constitution, with necessary safeguards for the transition period; and stressed the importance of further negotiations.

256. GOVERNMENT DEFEAT IN ASSEMBLY

On the 20th January, the Government sustained a heavy defeat in the Assembly over the Bengal Criminal Law Amendment Act Supplementary Bill, which was sought to be rushed through by the Government. The majority of the Muslim votes went against the Government. This showed that the country was fed up with the Government's repressive policy.

257. PEACE NEGOTIATIONS BEGIN

On the 22nd January, the Working Committee of the Congress, under the presidency of Mr. Motilal Nehru had unanimously adopted a resolution on the situation. Meanwhile, the peace-makers, Sir Tej Bahadur Sapru, Mr. M. R. Jayakar, and the Rt. Hon'ble V. S. Srinivas Sastri were at work, and they had wired postponement of decision till they met the Congress Working Committee.

258. BAN ON CONGRESS WORKING COMMITTEE WITHDRAWN

On the 25th of January 1931, His Excellency Lord Irwin ordered the release of Mahatma Gandhi and other members of the Working Committee, and cancelled the notification under the Criminal Law Amendment Act declaring the Committee an unlawful association. The Viceroy was pleased to issue the following statement explaining the Government policy of bringing about an understanding, and restoring peaceful conditions in the country. "Such as would enable the Government to implement the undertaking given by the Premier that if civil quiet is proclaimed and assured the Government would not be backward in response."

259. DEBATE ON THE ROUND TABLE CONFERENCE

As noticed in § 234, *ante*, there was a debate on the Round Table Conference initiated by an adjournment motion of the Premier, Mr. Ramsay MacDonald, in the British House of Commons. The Government felt that the R.T.C. had achieved a measure of success, and it wanted the House to accept the work that had been done by the Conference and instruct the Government to proceed with it to its complete conclusion. Major Graham Page considered "the release of M. Gandhi and others showed great courage and foresight". Mr. Baldwin recalled a phrase of Lord Minto,

"that no man is so strong as he that is not afraid to be called weak." "Those who use their best endeavours to get a settlement will be at some stage or another called weak."

Mr. Wedgwood Benn observed that

"force, so far from being of increasing assistance, is a diminishing asset. The more it is applied without the support of public opinion the weaker it becomes in effect."

The British Government was not in favour of building up a constitution for India of

"a sealed and delivered pattern on English model", "but something unique and moulded according to the tradition and spirit of the Indian people and resting in their good-will".

Hence, the necessity for a personal contact of British Indian representatives, with the representatives of the British Houses of Parliament. The first Round Table Conference in which the Congress had not participated was not completely successful, whatever

its achievements in determining broad lines of future action in drafting a constitution for India.

260. GANDHI-IRWIN TALKS

On the 6th of February 1931, the R.T.C. Delegates in their manifesto had stated that the attainment by India of a Dominion Status was no longer in dispute. They emphasised that English opinion had undergone a remarkable change in India's favour. The signatories expressed approval of the release of Congress leaders and hoped they would come forward to make solid contribution to the completion of the scheme. They further expressed the hope that a suitable atmosphere would be created for the consideration of the several questions by the release of all political prisoners.

Round Table Conference Delegates' Manifesto.

261. PRELIMINARY UNDERSTANDING

Sir Tej Bahadur Sapru, and two of his London Conference colleagues interviewed His Excellency Lord Irwin on the 16th February 1931, and paved the way for M. Gandhi's interview with the Viceroy on the 17th February. A preliminary understanding of what would be the respective view of both parties to the truce was arrived at, and they agreed to suspend the talk for some time to enable the Viceroy to consult the Premier and the Secretary of State, and M. Gandhiji to take the Congress leaders in confidence. On the 19th His Excellency the Viceroy granted a further interview to M. Gandhi. It was understood that various matters emerging from the discussions were then under examination and it was possible that some days might elapse before a further stage of discussions was reached. M. Gandhi met Pandit Malaviya, and held consultations with Congress leaders including Pandit Jawahar Lal, Sardar Vallabhbhai Patel, Mr. C. Rajagopalachariar, Dr. Pattabhi Sittaramiyya, and Mr. Jamnalal Bajaj. He also held discussion with commercial magnates like Mr. Birla and others, who had come to Delhi for the purpose. On the 22nd, M. Gandhi addressed a meeting of the All-India Muslim League, expressing "his dream and heart's desire" to speak not only for 21 crores Hindus, but for the whole thirty crores of India, which was the ideal he was striving for. He did not know what would be the result of his talks with the Viceroy; but if God wished the Congress to participate in the Conference, and if there

was a settlement between the Government and the Congress, the question of Hindu-Muslim unity would engage their first attention. On the 24th, His Excellency the Viceroy summoned eight Round Table Conference delegates then in Delhi, namely, T. B. Sapru, Mr. Sastri, Sir B. N. Mitra, Sir Abdul Qayum, Sir Cowasji Jehangir, Messrs. Jadhav, Ghuznavi, and Jayakar, and explained to them the purport of the Gandhi talks, and the future line of action. The Congress Working Committee passed a resolution giving Mahatma Gandhi unfettered authority to conclude a settlement with His Excellency the Viceroy, who was expected to summon M. Gandhi shortly to resume the talks.

262. THE GANDHI-IRWIN AGREEMENT

On the 4th of March 1931, a settlement was arrived at consequent on the conversations that had taken place between Mahatma Gandhi, and His Excellency the Viceroy. It had been arranged that the Civil Disobedience movement was to be discontinued; amnesty was to be granted to persons convicted of non-violent offences in connection with civil disobedience. The effective discontinuance of civil disobedience movement meant the effective discontinuance of all activities in furtherance thereof, by whatever methods pursued, and in particular the organised defiance of the provisions of any law; the movement for the non-payment of land-revenue, and other legal dues. The publication of news-sheets in support of the civil disobedience movement: and attempts to influence civil and military servants or village officials against Government or to persuade them to resign their posts. *The discontinuance of C. D. Movement* connoted the definite discontinuance of the employment of the boycott of British commodities as a political weapon, but the Government of India approved of the encouragement of Indian industries as part of the economic and industrial movement designed to improve the material condition of India, and they had no desire to discourage methods of propaganda, persuasion or advertisement pursued with this object in view, which did not interfere with the freedom of action of individuals, or were not prejudicial to the maintenance of law and order. The Government of India and local Governments were to take action withdrawing ordinances; and notifications declaring associations unlawful, restoring confiscated, forfeited or attached properties except in certain circumstances; and granting administrative concession to make salt

in certain areas. The essential parts of the Round Table Conference scheme were to be further discussed. The scope of further discussion was stated with the assent of His Majesty's Government, to be with the object of considering further the scheme of the constitutional Government of India discussed at the R. T. Conference. The Congress Working Committee passed a Resolution endorsing the terms of the agreement and issued instructions to all Congress Committees to take immediate action in accordance with them. (a)

263. THE GOVERNMENT ACTION

In accordance with the Gandhi-Irwin agreement, the Government of India issued an ordinance on the 6th March, 1931, repealing the Unlawful Association Ordinance of 1930, the Indian Press and Unauthorised News-sheet and Newspaper Ordinance of 1930, and the Unlawful Instigation (Second) Ordinance of 1930. On the 7th March, the Bengal Government withdrew its notifications declaring various Congress Committees in Bengal unlawful.

264. THE VICEROY ON TRUCE TERMS

His Excellency the Viceroy, speaking at the State Banquet at Jaipur referred to the Truce terms as follows:

"It has seemed not many weeks ago that work would have to be pursued in an atmosphere overcharged with uncertainty and mistrust. I am happy to think that those mists have to a great extent been dispelled. I believe that if the spirit, which inspired my recent conversations with Mr. Gandhi can be maintained throughout the future constitutional discussions, it ought not to be impossible to set the seal upon a secure and durable understanding between India and Great Britain. We met with the single purpose, if it might be honorably accomplished, of re-establishing peace in India. I am confident that he will do everything in his power to give effect to those undertakings which are recorded in the published statement."

265. LORD IRWIN'S FAREWELL BANQUET SPEECH

On the 26th March, His Excellency Lord Irwin speaking at the farewell banquet given by the Chelmsford Club, said that there were those in England who said

"let us have firm Government and get back rapidly to the good old days of paternal administration with populous markets reserved for British trade".

(a) The Indian Annual Register, 1931, Vol. I., pp. 28, 29.

"This diagnosis," His Excellency observed, "was superficial, distorted and wholly divorced from the reality of Indian situation. *No Englishmen can, without being false to his own political history, and in recent years to his own pledges, take objection to pursuit by others of their own political liberty*".

His Excellency continued:

"I would repeat what I have said more than once that an attempt to meet the case with rigid and unyielding opposition is merely to repeat the unintelligent mistake of King Canute",

and concluded by saying that

"such an attitude would destroy any hope of retaining a contented India within the Empire".

266. THE MAHATMA'S VIEWS

Mahatma Gandhi expressed complete satisfaction with Truce terms in his public speeches at Borsad, and at Karadi. On the 12th March, he told his audience at Borsad

"that he had called this fight, the final battle of his life. It was not yet fought to a finish".

On the second occasion at Karadi, he said

"now they had not to practise civil disobedience of laws, but to do constructive work."

Curiously enough, the extremists in India considered that Mahatma Gandhi had surrendered to the Viceroy, just as the diehards in England probably thought that the Viceroy had yielded to the persuasions of M. Gandhi, in withdrawing the rigours of ordinance laws, on the cessation of the civil disobedience movement. A red flag hostile demonstration was held at a mammoth meeting in the mill area in Bombay, which M. Gandhi addressed on the 16th March: and people wanted the release of Meerut prisoners, and others convicted for violent crimes in connection with the Congress agitation. Red-Shirts, and Black-Flags, demonstrated when M. Gandhi alighted at a wayside station near Karachi, with certain Congress leaders. Mr. Subhas Bose, in referring to Bhagat Singh's execution, in the Naujawan Conference at Karachi, said the Truce terms were of no use if the lives of such heroes could not be saved, and he said the Gandhi-Irwin pact was "highly unsatisfactory and disappointing".

But, at the 45th Session of the Indian National Congress held at Karachi, in an open air Stadium, at which nearly 40,000 visitors

attended, Mahatma Gandhi supported the Resolution moved by Pt. Jawahar Lal Nehru endorsing the Gandhi-Irwin pact, observing that

"there was nothing in the settlement of which either he or the members of the Working Committee could be ashamed of. The terms of the truce were perfectly honourable".

267. CONGRESS PARTICIPATION IN THE ROUND TABLE CONFERENCE

As regards Congress participation in the Round Table Conference, M. Gandhi said

"he could give no promise and no understanding that the Congress delegation would bring Complete Independence but he pledged his word that they would not bring back greater bondage".

268. SWARAJ EXPLAINED TO MASSES—DECLARATION OF FUNDAMENTAL RIGHTS

The Congress at Karachi adopted a Resolution, prepared by M. Gandhi and Pt. Jawahar Lal Nehru, and re-drafted in the Select Committee, "explaining to the masses what Swaraj means", and mentioning points which the Congress delegation to the Round Table Conference would strive for. The Resolution provided among other things for living wages for industrial workers, free primary education, adult suffrage, abolition of the Salt duty, a progressive income-tax on agricultural income, reduction of military expenditure by one-half of the present scale, reduction in civil servant's salaries, substantial reduction of land-revenues, and agricultural rent and control by the State of key industries and mineral resources.

269. COMMONS DEBATE ON INDIA—R.T.C. POLICY AND PROCEDURE

Mr. Baldwin.

On the 12th March, 1931, there was a debate in the House of Commons on the administration of India. The main topic under discussion was the policy underlying the R.T.C. and the procedure for completing the work undertaken by the Conference. MR. BALDWIN, as leader of Conservative Party, began by recalling the familiar words used in 1917,

"when the Government spoke of not only the increasing association of India in every branch of the administration but also the grant of self-governing institutions with a view to the progressive realisation of responsible Government in India as an integral part of the British Empire".

The Conservatives always put "*the Empire*" in the forefront.

"The Empire, if it is anything, is a living organism", "*in a constant process of evolution*". "It could not be supposed that in this world of evolution, India alone was Static".

The declaration of 1917, and every word of the Government of India Act, 1919, gave the lie to that idea. After these preliminary observations, he took the R. T. Conference "as an accepted fact", and stated that the Conservative Party "stood exactly where it stood on the 26th January". *Their main objective was an all-India federation,* which could be attained only on surmounting many grave difficulties.

He said:

"In the conversations between the Viceroy and Mr. Gandhi, it was wrong to suggest a surrender of one side to the other. There had been no victory, but a victory of common sense." "*The extremism of India or at home dies hard and slowly*".

The ultimate effects of these conversations could not be judged yet, but "the area of good-will and co-operation had been definitely enlarged". In the words of Mr. Churchill himself,

"Our reign in India or anywhere else had never stood on the basis of physical force alone, and it will be fatal to the British Empire if we were to try to base ourselves upon it. The British way of doing things has always meant and implied close and perpetual co-operation with the peoples of the country in every part of the British Empire".

The question of constitutional Government of India is by far the most important Imperial question, and by far the greatest and most difficult. Difficult as the case is "the dangers did not come from difficulties". "They came from the extremists in India, and at home". The principal fact, that was seen in the world, at the moment, was "that the unchanging East had changed", and "was changing with alarming rapidity", and the course of recent history pointed out that "they could not reverse the engines without breaking up the whole machine". The problem was going to be solved not by force, but "*the ultimate result depended on good-will, sympathy and understanding between India and Britain*", and whatever Lord Irwin's mistake, the great work done by him was its bridging "by his ability and character". The subject of carrying out the policy was not to be approached in

"niggling grudging spirit of those who would have to have forced out of their reluctant hands one concession after another".

If such people were in a minority

"they should refrain from throwing difficulties in the way of those who had undertaken almost a superhuman task on the successful performance of which depended the well-being, prosperity and duration of the whole of the British Empire."

270. MR. WEDGWOOD BENN

After the historic speech of Mr. Baldwin, there was really, from point of view of the Indian situation, nothing to add to this debate. The Secretary of State wanted to trace the history of the efforts made by the Government to secure co-operation between Britain and the people of India. *The first stage* in the co-operation between the parties was in the *Statutory Commission*. Towards the conclusion of the labours of the Commission, its Chairman put forward a suggestion that *the next stage* in its work should be conducted by means of the Conference, and that the Conference was set on foot with the accord, approval, and co-operation of all parties in the House. The Viceroy, on the first of November 1929, set out on "the difficult task of removing the webs of mistrust," to secure co-operation with India, at constructive work. The first success was in the meeting of the *R.T. Conference* itself. There was a time when it was doubtful whether the representative men from India would come to this country for the Conference. But "the Conference met with a personnel of a very wide, though not complete, authority", because in the absence of the representatives of the National Congress, "it could not be fully representative of Indian opinion". Then the country passed "through a deplorable episode called the '*Civil Disobedience*'." "The British Government did their part in maintaining public order during this campaign of Civil Disobedience. He said,

(a) The History of Efforts to Secure Co-operation.

"A firm hand is a good thing, but if you have a firm hand, there is no harm in having a clear head and an understanding heart". "Throughout the period of Civil Disobedience the policy of the Government remained unchanged. It was to encourage, to seek and to welcome the co-operation of representative Indian opinion".

When the R.T. Conference was called, the problem of Indian constitution was approached from different angles, and perhaps with different measures of enthusiasm, but the delegates returned to India convinced of the good faith of the British Parliament. Therefore in the matter of the R.T.C. the first battle for understanding with the

Indian people had been won. The next attack was to be directed on those who had refused to co-operate in the R.T.C. The delegates to the Conference were optimistic that if they should meet the Congress representatives as free men, they could convince them of the good faith of Britain. It was in response to that the Prime Minister made the declaration he made at St. James's, in reference to the way in which the Government would meet the gesture of co-operation from the other side. The delegates went back to India, and they succeeded in the effort in which in July last they had failed, *viz.*, to convince them that this Parliament would keep faith with India. So the area of co-operation was extended. He said:

"The real link that bound India to this country and the Empire is confident in our good faith."

After the conversations with the representatives of the R.T.C., M. Gandhi wrote a letter asking the Viceroy whether he might have an interview with him. It was understood that his purpose was to substitute, co-operation with non-co-operation in which for the last ten years he had been engaged, and at that stage, according to Mr. Wedgwood Benn

"a second battle was won in the campaign for understanding and good-will between the people of the two countries".

Mr. Gandhi had said:

"I shall strain every nerve to make the provisional peace a permanent one".

The British Government welcomed that expression and reciprocated it.

271. THE RESULTS OF GANDHI-IRWIN PACT

Mr. Wedgwood Benn explained that the result, or rather the achievements of those conversations could be dealt with under several heads. *Firstly,* it had been received with *universal approval in India.* Members of the Council of State and members of the Legislative Assembly had passed Resolutions approving it. The Resolution in the Legislative Assembly was moved by a distinguished Mohammedan and supported by the leader of the European group and was unanimously passed. Furthermore, the atmosphere which had been created by the restoration of peace in India was favourable to the solution of many thorny and baffling problems. The communal

(b) The Results of Gandhi-Irwin Pact.

question would come nearer to solution owing to the co-operation which now exists between the various parties in India. The second result was, that the British Government were enabled to empty the prisons of people who had been engaged in Civil Disobedience, and to permit India to revert to *Government by ordinary law* instead of being governed by special ordinances which had been necessary in times of very great stress. It meant that the people, who had been driven by their love of country to deplorable courses now had open to them a constructive way which hitherto they had not followed. Then there was the important question of *credit and budgetary position* as to which Sir George Schuster had given a clear warning in the Assembly. The gloomy prospect was to a large extent relieved by the settlement, which had been come to, and the disappearance of Civil Disobedience in India.

The Indian credit in London was notably improved. Another result was the *improved tone in trade circles,* and the bettering of the condition of merchants who had been very hard pressed by the civil disobedience movement, and many of whom had been forced into financial disaster. Not only Indian merchants but European traders in India had welcomed this settlement with a great sign of relief. On the trade side, it represented to them a very definite improvement indeed. Next to trade, was to be catalogued as one of the beneficent results of this settlement the *improvement in world opinion of British policy.* They had two pictures. Before the agreement—public opinion sore and hopeless, jails full, discontent rife, costs rising, credit falling, the world critical, and trade declining; the picture after settlement was content, and trust growing, money saved, credit improved, trade hopeful, and the world friendly. It might be said that when these conversations were complete, and the White Paper was issued, the British Government had won their third battle for trust and co-operation. Beyond this negative achievement of public peace and quiet, there was a much more important positive side in this White Paper. The Congress would join in the R. T. Conference on the basis of the St. James's findings, agreements or provisional understandings, or whatever one liked to call them. He concluded by observing that *the R. T. Conference method was vindicated.* The work it had done was preserved. Its deliberations were to continue with all the authority that came from full representation of all interest of Britain and India alike.

272. MR. CHURCHILL

Mr. Churchill declared

"that the developments of the past six weeks might be the subject of congratulations among those agreed upon the establishment of an all-India Federation with responsible Government as the precursor of full Dominion Status, but less enthusiasm was pardonable in those who thought these processes premature and dangerous and likely to lead to confusion and disaster".

He knew that

"expectations, aspirations and appetites throughout India were mounting".... "He denied that he was the apostle of violent repression or brutal force. On the other hand, a mere title of the force and punitive measures which the socialist Government and the Viceroy had vainly employed would have sufficed if it had been part of a firm and coherent policy of the simple maintenance of Law and Order".

273. MR. RAMSAY MACDONALD

The Prime Minister rose to say a few words more by way of summarising the situation. He wanted to reply to a question put regarding *the situation on the North-West Frontier*. He told the House that the situation had been successfully handled by the Indian Government. The road which had been built across the Khajuri plain had been built with hardly even a paragraph in the newspapers. It was a tremendous triumph of successful handling.

As to the R. T. Conference methods, he said a great majority of all parties stood by them. If Mr. Churchill disputed that he must dispute it with his own leaders. The Government was carrying on through the R. T. Conference, and its continuation of the work that had been begun before the last Government took office and before the Labour Government took office. They could not stand by at the moment with all the change that was going on in the East, more particularly India, and say that what they had said up to now was the last thing they intended to say. They were bound to take a revolving situation in time, so that situation might not be a revolutionary situation. He outlined the future procedure. The first thing that had to be done after the preliminary exploration had been finished was to get the Federal Structure Committee together again. The Committee's work would begin as quickly as possible. The hope was strong that the Congress representatives—Mr. Gandhi himself—would be in England: and with that added element they shall meet their old friends, the men to whom they

owed so much. In that Round Table Conference, Princes, Hindus, Moslems, representatives of labour, who were not at the R. T. C., representatives of the depressed classes—the Federal Structural Committee would pursue its work to a successful conclusion. The Indian problem, with all its difficulties and complexities, was to be faced in the scientific frame of mind, remembering the organic nature of our Empire.

274. THE LORDS DEBATE ON INDIA

In the House of Lords on the 18th March, *the Duke of Marlborough* drew attention to the "increasing gravity of the situation in India and the adverse effort produced by the Round Table Conference". He denied that the R. T. C. or any subsequent conference held in London or in India could take the place of the Simon Commission. He invited the Government to declare whether they accepted the safeguards mentioned by Sir Samuel Hoare in the Commons on the 26th January, and asked, if so, what would happen if the existence of safeguards made agreement with India uncertain and possibly ineffective.

(a) *Duke of Marlborough.*

LORD SANKEY explained that the situation had greatly improved during the last two months, and that the R. T. C. had produced not an adverse but good effect, and one which was likely to improve Britain's future position in India. Lord Sankey said their desire to settle some form of responsible Government for India was only equalled by their knowledge of law and the practice of Federal Constitution. The fact that the Conference had gone beyond them was due to the patriotic action of the Indian Princes, who declared on their arrival in England for All-India Federation.

(b) *Lord Sankey.*

"That was the ideal which the Statutory Commission had set before themselves, but they saw it through glass darkly. Now it had entered into the realm of practical politics and India was watching the dream that was coming to birth."

The R. T. C. proposals were not plain potentiaries. The Federal Structure Committee, in particular, had not aimed at drafting a constitution, or attempted to make final proposals. The Committee's conclusions were, therefore, provisional. He had no misgivings as to the ultimate result of their labours, in drafting a

Federal Constitution which will be fair and just to every body. He described the main recommendations of the Federal Structure Committee's report as *"Indian responsibility with due safeguards for the interests of both Britain and India"*. The basic assumption of the report was a recognition of the principle that subject to certain special provision, responsibility for the Federal Government of India should rest in future upon the Indians themselves. Safeguards like the defence and foreign relations which were reserved to the control of the Governor-General; also special provisions to give him adequate powers, amongst other things, in respect of minorities and finance and in respect of a break-down of the constitution were essential; but it would be wise to defer to Indian views and desires on other details because it was the Indians who would have to work the constitution. It was to be hoped and expected that the safeguards entrusted to the Governor-General will be rather in power than in use. It was necessary to secure India's present commitments, and handle properly her future borrowings. Her credit and stability must be maintained. They desired an India companioned by content, and not one seething with sedition. By choosing conciliation they would gain nearly all they desired, and they would lose but little. *Appeal to force was bankruptcy of statecraft.* By resorting to repression, the military expenditure will go up, their revenue returns, and trading receipts would go down, and their difficulties would increase and multiply. By imposing a peace that way, they would produce a desert. Lord Sankey summed up the situation thus: The British Empire was one which they held in trust for many creeds and nations whose classes and whose communities were entitled to their protection. Rightly or wrongly, the British Government had educated Indians in Western ideals and ways, and had introduced them to *Western representative institutions.* Time after time they had given them *pledges,* and held out hopes to them. A Liberal Government introduced *the Morley-Minto Reforms* a coalition Government authorised *the Montagu-Chelmsford declaration;* and the Parliament itself passed *the Government of India Act in 1919,* with its preamble of promises and its partial grant of representative Government. Lord Irwin, the great conservative statesman, in whom the Labour Party had implicit confidence, had carried on the tradition. *The Statutory Commission* itself declared an all-India federation as the goal to be aimed at. The Prime

Summing up.

Minister, with very great assent put the coping stone to the arch in the last speech he made at *the Round Table Conference.* Mr. Baldwin recognised only one duty of the opposition, and that one duty was to try to implement, so far as they could, what had been done in the Conference. It was too late to back. They could not stand still. The least dangerous course—it was *the only safe and honourable course—was to go forward.* He concluded by observing that

"It is by their moral actions, not by their material success that nations are judged at the bar of public opinion, and by the verdict of history. It is spiritual things which exalt the nation and by them we shall be remembered when our triumphs are forgotten. Let us grant *a federal constitution* to India and let our hope be that everything in it be so ordered and settled upon the best and surest foundations that peace, happiness, truth, and justice may flourish as abundantly in India as they have done here at home".

(c) *Lord Reading.*

LORD READING expressed satisfaction at the fact that the debate showed *unanimity on the main lines of policy* to be pursued in India, and he declared that the position in India was now much better, and pointed out that as the result of the Conference Indian leaders who were suspicious of Britain had abandoned distrust which had been replaced by trust and confidence. Referring to the Viceroy-Gandhi agreement, His Lordship said that conditions in India had very greatly improved from the moment that agreement which was brought about by the Round Table Conference was reached. The Conference, therefore, had enabled peace to be declared in India.

(d) *Lord Lloyd.*

LORD LLOYD *counselled caution* while subscribing fully to the policy of development of responsible self-government, but felt convinced that India was not yet capable of immediate full self-government.

(e) *Lord Islington.*

LORD ISLINGTON thought that *a gigantic leap to practically complete self-government* was being taken, while the authors of the scheme of 1919 had always understood that the journey would be a long one.

LORD PASSFIELD winking up the debate, made it clear that the Government wished for the *co-operation of all parties* and they would do their utmost to secure the continuance of it, subject to their own necessary responsibility for action.

275. THE COMMUNAL PROBLEM

In a letter to the Editor, *Civil and Military Gazette,* explaining the representative Hindu opinion in the North-West Frontier Province, on the subject of the Round Table Conference, I wrote as follows:

"Of all the great problems forcing the country, *the question of communal agreement,* on lines of justice, equity, and fair-play is the most baffling and complicated one, and it has been truly remarked that the last Indian National Congress (*1929) had failed to consider or solve this most vital problem, and the only chance of a reasonable settlement of this great problem upon which depends the peace and contentment of India, under British administration, lies at the proposed Round Table Conference."

This very letter had stated

"from the point of view of the Hindu community in this province",

the writer's opinion

"that our interests require the strengthening of the hands of the executive authorities in this province, to secure equitable treatment, and *due protection against communal aggression* of the overwhelmingly dominant community".

When communal riots occurred in Agra, Cawnpore, etc., it appeared that *Hindu-Moslem Unity* in this country was a dream hardly to be realised. But, with M. Gandhi's taking up the question in earnest, some hope was felt that the second Round Table Conference will bring forward some real solution of the problem for India's future good.

On the 1st of April, 1931, M. GANDHI addressing the
(a) *M. Gandhi.* *Jamiatul-ulema-i-Hind* session observed that

"*Hindu-Moslem unity* alone could achieve Swaraj for India, and he was convinced that unless that problem was solved, it would be useless to go to the Round Table Conference".

Nationalist Muslims had made efforts to pave the way for a settlement conducive to the best interests of India, and the Muslims.

SIR ALI IMAM, presiding over the Nationalist Muslim's
(b) *Sir Ali Imam.* Conference at Lucknow said

"that Nationalism could never evolve from division and dissensions. The very notion of *separate electorates* was based upon the support, which could not be found in this country. This clearly *meant the perpetuation of tutelage*".

Sir Ali advised the Muslims

"to insist upon *Joint electorates* without any condition, as in his opinion, the demand for reservation of seats in the *Joint electorate* meant to admit the presence of some extraneous authority."

DR. ANSARI, in moving a resolution said that

(c) *Dr. Ansari.*

"the anxiety to secure certain *safeguards and guarantees for Muslims* in the future constitution was genuine, and so far as Nationalist Muslims were concerned they would press such genuine demands and secure their acceptance. But Nationalist Muslims found it impossible to stand by the demand to separate electorates which they considered highly dangerous both to India, and the Muslims".

In a Press statement, Dr. Ansari was said to have observed that

"Joint electorates and adult franchise would form the basis of discussions both with our co-religionists as well as with the Hindus or Sikhs. Any constitution which does not contain a provision for these two factors, will be wholly unacceptable to the Nationalist Mussalmans of India".

His suggestion was that

"a board of arbitration with full powers to settle the question—such a settlement to be binding on their respective communities—would be the ideal way to solve the communal question."

(d) *Pt. Madan Mohan Malaviya.*

PANDIT MADAN MOHAN MALAVIYA, speaking at the U. P. Political Conference, at Mirzapur, referred to the political situation, and pointed out that

"*the Hindu-Muslim disharmony was the greatest hinderance to political progress.*" "Establish relations, sympathies and friendliness between the two communities", said the Pandit, "and leave bigger issues to Mahatma Gandhi and other leaders".

The Pandit was glad at the prospect of Muslims agreeing to Joint electorate and declared *"separate electorates as striking at the very root of Nationalism"*.

(e) *Mr. J. M. Sen Gupta.*

Presiding over the Coorg Political Conference at Mercara, MR. J. M. SEN GUPTA said

"that *the Congress knew no distinction of birth, race, creed or caste, and its doors were open to all*".

After referring at length to the problem of minorities, Mr. Sen Gupta dwelt on the Muslim demands.

"He urged the Hindus and Muslims to meet together in a spirit of friendliness and of mutual appreciation of each other's needs and requirements and to evolve a common formula, which would give satisfaction to all communities, without prejudically affecting the idea of National freedom".

(f) *Karachi Muslims.*

To counteract the propaganda for separate electorates in the Panjab and Bengal, Karachi Muslims held a largely attended meeting at which the President said that Joint electorate was a question of life and death. The Sind Muslims

had signed a pact which enunciated joint electorates, Sind separation, and weightage for minority.

(g) *M. Gandhi.*

At a public meeting held in Simla on the 14th May, M. GANDHI pleaded for bringing about an understanding amongst Hindus, Muslims, Sikhs, Parsees, Christians, and others, so that they should unite in the demand for Swaraj. As against this the Delhi All-India Moslem Conference, and the Bombay All-India Khilafat Committee had passed Resolutions deprecating the "contemptuous way", whereby the Congress Hindu majority, and even Mr. Gandhi had treated Moslem demands for safeguards and declared their final adherence to separate electorates. In the N.-W. F. Province, there was apparently a very considerable mass of active and solid support for the Congress scheme of adult suffrage and joint electorates for all. Mr. Abdul Ghaffur Khan, speaking at Bardoli, appealed for communal amity. He said :

All-India Moslem, and Khilafat Conferences.

"Muslims regarded the Congress as an organism of the Hindus, but it strove for the liberties of the country. Muslims should therefore take part in Congress activities".

276. MAHATMA GANDHI'S PREPARATION FOR THE ROUND TABLE CONFERENCE

The task before M. Gandhi, when he was preparing to go to England for the second Round Table Conference, as the sole representative of the Indian National Congress was very difficult. He had to see that the Truce terms were strictly observed both by the people, and the Government. For an effective advance of India's cause, towards the goal set up by the Congress, of *Purna Swaraj*, or even of the goal set up by the British Government of the Dominion Status within the Commonwealth, it had to be settled with the members of the Federal Structure Committee, and the new Viceroy's Government, the exact scope of questions open for discussion at the second Round Table Conference. The difficulties of Indian constitution from the point of view of the minorities, *viz.*, the Muslims, Sikhs, Depressed classes, had to be mastered if possible in India before M. Gandhi left for England to make his representations effectively by the support of the entire Indian public opinion. The consultations with the Muslim leaders had revealed no hopeful

solution unless the Nationalist Muslim's view became the general view of Muslim in India. The communal basis advocated by the All-India Moslem League, and the Hindu Mahasabha counterblast, offered no happy solution by removing a bar-sinister in the way of further discussions in England. At one stage, M. Gandhi had offered, "*a blank cheque*" to the Muslim community, to fill in their political demands which greatly perturbed the Hindu Mahasabha; but the Mohammedan community could not take advantage of the offer by reason of the acute differences in their own community. There was no united demand in the name of the entire community, which could be made or pressed upon any generally acceptable basis. The Panjab and Bengal were the two most difficult problems. Further, there was a vital proviso to this offer that any concession made to Moslem demand must not involve perpetrating an injustice to any other minority. And this "blank cheque", has been unfortunately blank up to the moment, betraying a lamentable bankruptcy of statesmanship in India, or possibly the existence of some sinister influences still at work to prevent the making of a Hindu-Moslem *entente* on a material basis, instead of the communal outlook of the politicians.

277. LORD WILLINGDON'S FIRST POLITICAL SPEECH AS VICEROY

However, the Labour Government had shown by the speeches of the Prime Minister, and the Secretary of State, that it meant to do its full duty by India: and, Mahatma Gandhi had accepted the Working Committee's decision to represent the Congress at the Round Table Conference. M. Gandhi, explaining why he was going to England without first securing Hindu-Moslem settlement as he had intended, said:

> "It was better to wait till the Congress had become equally popular with the other communities than to make an attempt to force Swaraj through highly artificial surroundings."

One further great encouragement which M. Gandhi must have felt was when His Excellency Lord Willingdon, the new Viceroy, mentioned his political policy, and expressed the desire and the hope that His Excellency might go down to History as the first constitutional Governor-General of India.

This historic speech was delivered on the 27th June, 1931, at the Chelmsford Club, Simla, and its brief summary is as follows:

His Excellency's purpose was to give his first impressions of the situation and not any political pronouncement. His Excellency had arrived in India at a time of intense interest and considerable anxiety, at a time when it required steady and stout hearts to surmount the difficulties that lay before them, but this was no time for depression or pessimism, for difficulties were made to be overcome. His Excellency referred to the statement made on the 26th instant in the House of Commons by the Prime Minister who was believed to be a true friend of India, and who could hardly have given a more solid proof of his friendship than he had done in that statement. Referring to the Settlement made between His Excellency's predecessor, Lord Irwin and Mr. Gandhi, on March 5th last, His Excellency said that he had taken over the duty of implementing the agreement, and with the help of local Governments shall endeavour with absolute sincerity to see that its terms were carried out; and he was able to say with complete confidence that M. Gandhi was equally sincere in his desire to carry out its terms on his side. But His Excellency observed that this agreement was not merely a truce in order to give time for preparation for further agitation. The purpose of this settlement was to get rid of strife and agitation and to secure co-operation and good-will in order to create an atmosphere particularly helpful in every way for the purpose of working out the *future constitutional advance.*

(i) Round Table Conference and the Settlement.

His Excellency referring to doubts and misgivings in the minds of some regarding the maintenance of British connection in India observed that this was no time for depression, and pessimism. His Excellency was convinced

British Connection with India.

"that the overwhelming majority of the Princes, and people of India wanted the British connection to remain. It was perfectly true that the character of the administration of this country would be different in future to what it had been in the past; for they were all working rapidly towards the time when Indians will take over the administration of their own affairs to the time when they become absolutely equal partners with the Dominions under the Crown. But His Excellency was confident that that administration when it came in the future, as in the past, would be under the flag of the British Crown, and surely too when it came, it would be for the British the culminating point in the greatest piece of Empire service that the world had ever known,

and they would come nearer the vision and *the ideal of a great Commonwealth of Nations* consisting of great countries spread all over the world, grown up and developed to their full strength, freely and justly administered by the citizens of their own particular country, comprising many different races, colours and creeds, bound together by one common tie of loyalty to the King-Emperor and by the example of their administration, exercising an overpowering influence in securing peace and good-will among the nations of the world."

His Excellency had *faith, hope and optimism.*

"Faith, complete in the Great Providence;... Hope, that the same Providence gave them all that Christian spirit in its widest and most catholic sense, to work together in mutual confidence and good-will for the benefit and welfare of this great country :" "Optimism, that before His Excellency's term of office he may be much more nearly a constitutional Governor-General and that this great country before long might once again be on its way to assured and increased prosperity".

278. THE CLOSE OF THE SECOND ROUND TABLE CONFERENCE

The British Premier made a declaration at the close of the second Round Table Conference, reiterating the British policy to be pursued in the framing of *India's future constitution.* Deep and wide interest had been taken in India in the proceedings of the second conference by reason of the Congress participation, but there was great disappointment in Congress circles when it appeared that M. Gandhi's powerful advocacy of some moderate demands by the Congress had no effect in changing the attitude of the British Government, and there was a clear divergence between the two viewpoints. Three different views were prominent. The diehard or average conservative view, that safeguards should be so effective as to make self-Government a sham. The Congress view that the self-Government should be real independence, or the substance of it : and the ultimate goal, after the necessary transitory period with adequate safeguards, should be defined *ab initio*: and the constitution to be immediately set up in India must conform to or reproduce the ultimate object in a real and substantive manner. The Congress wanted the reservations to be such as not to nullify the provincial or central responsibility; and all safeguards must be clearly in the interests of India. The British view was that the safeguards were required both in the interests of India and the Britain: that subjects like the Defence and foreign relations must be under the control and

supervision of the British Government through the Governor-General: that Indianization of the Army, and the transfer of military control must be a slow and cautious process. That the Government must have special emergency powers during the experimental stage of democratical institution in India, to maintain law and order, owing to great diversity of races, classes, and interests in India. Similarly, the interests of minorities in India had to be safeguarded against the possible aggressive or unreasonable attitude of the majority community in a province, which was in power. The British Government was very keen on the subject of due discharge by India of her financial obligations, and the maintenance of her credit in the world market. The Congress participation in the Round Table Conference was not conditional on her acceptance of these "first principles", which British statesmen had in view; and the Congress urged that responsibility should be transferred from British hands to the Indian Legislatures with the least possible delay, and a minimum of temporary reservations. These two viewpoints could not be reconciled at the Round Table Conference.

279. THE COMMUNAL AWARD

The communal problem was left unsolved at the Round Table Conference, in spite of M. Gandhi's best efforts in this direction. A minority pact was started accentuating the difficulties of the situation, and failing communal amity and agreement in London, and with no prospect of its early settlement in India, a suggestion was made, that the Premier should give his Award settling the difficult problem according to his view of the matter. This brought forth the much discussed Communal Award given by the Premier, Mr. Ramsay MacDonald. This solution, not satisfactory to the parties concerned, is now being thrust on the country, for the only reason that the country has not yet, by any mutual agreement, substituted its own satisfactory solution in its place. The Premier's Communal Award did not bring about an *entente* amongst the various communities concerned. There was the fundamental flow of introducing the undemocratic principle of separate communal representations: This was a success for the Moslem delegates who were working solidly as a team against the divided Hindu interests. But, it destroyed all hopes of a future Hindu-Moslem unity, based upon "the fundamental community of interests of all as Indians". The Award purports to

have been given by His Majesty's Government in order to remove the obstacle to further progress in the framing of a constitution which was presented by the failure of the communities in India themselves to reach agreement on the subject of the method "and quota of representation of communities in the Provincial Legislatures."

280. THE SITUATION IN INDIA

The second Round Table Conference broke up in December 1931, without the Congress and the British viewpoints being reconciled. Meanwhile, in India there was an agrarian trouble in the U. P. which necessitated an ordinance (*U. P. Instigation Ordinance*) to deal with it. There was *Red-Shirt movement* strongly active in North-West Frontier Province, and a *terrorist danger in Bengal*, to cope with effectively. Arrests and convictions had been going on in India: Mahatma Gandhi on his return from England was not prepared for this complex situation, and felt quite perplexed as to whether the Delhi agreement stood. Mahatma Gandhi enquired from His Excellency the Viceroy in these terms:

"I do not know whether I am to regard these as an indication that friendly relations between us are closed or whether you expect me still to see and receive guidance from you as to the course I am to pursue in advising the Congress".

The reply given to this Telegram by the Private Secretary to His Excellency the Viceroy observed that

"Government cannot reconcile the activities of the Congress in the United Provinces and the Frontier Province with the spirit of frank co-operation which the good of India demands".

The Congress Committees in the U. P. and the N.-W. F. Province were blamed for the situation, and His Excellency did not believe these activities would be approved of by M. Gandhi. His Excellency was not prepared to discuss the measures adopted by the Government of India; with the full approval of His Majesty's Government, and intimated that they would be kept in force till Law and Order, essential to good Government, was preserved. A rejoinder to this by M. Gandhi sent on January, 1932, complained that his advance "as a seeker wanting light on questions in which he desired to understand the Government version" had not been appreciated. He proceeded to refer to the situation in the N.-W. F. Province, and said that no *prima facie* warrant existed there for the passing of the "extra-

legal ordinances", deportation without trial of Khan Sahib Abdul Gaffar, and other drastic measures including shooting. There might be according to M. Gandhi, three hypotheses as to the offence committed by the Khan Sahib. He might have claimed independence as the goal of the Nation, which the Lahore Congress had declared in the year 1929, without exception being taken to it. That demand had been reiterated at the R-T.C., as the Congress mandate required it. Secondly, if Khan Sahib had refused to take part in the Durbar, that refusal by itself constituted no offence demanding summary punishment. Thirdly, if Khan Sahib had been guilty of any criminal offence of promoting or fomenting racial hatred, the proper course was a trial in court of law.

281. THE GOVERNMENT VIEW OF THE POSITION

The Government view supporting the extraordinary measures rested on the fact that normal conditions were not then prevailing in the Province. Executive action was necessary with a view to prompt and effective control of the situation, and maintenance of law and order, upon which rested the fabric of the state and the society. In the words of Sir Samuel Hoare, the Secretary of State,

"The Blue Book showed in detail how the Red-Shirt movement had been stimulated by the Congress in the North-West Frontier Province, and how in that very inflammable area, a critical situation had arisen that threatened the very basis of the Government".

He was of opinion that the step taken did not go beyond the strict necessity of the case, as the situation would have become graver if the prime mover of the commotion had not been removed from the scene of his disturbing influence. An open trial in ordinary law-court would have accentuated the gravity of the situation by the publicity given to the proceedings. The removal of the prime mover, and the arrest of his colleagues and associates was the line of action adopted by the Government advisedly. It was a part of the dual policy, which was then adopted by the British Government, *viz.*, of proceeding with constitutional advancement by legislation, and taking all drastic measures against the irreconcilables. M. Gandhi, however, while reaffirming his position asked for an interview, as a friend, promising to study the situation in the light of information from both sides, and to guide the Congress accordingly. This was refused, and he himself was put in Yerwada jail.

282. REVIVAL OF CIVIL DISOBEDIENCE

In the beginning of January, 1932, the Congress Working Committee passed a Resolution that the Premier's Round Table Conference declarations were wholly unsatisfactory, and inadequate in terms of the Congress demand. The Congress Working Committee opined

"that nothing short of Complete Independence, carrying full control of defence, external affairs and finance with such safeguards as may be demonstrably necessary in the interest of the nation, can be regarded by the Congress as satisfactory".

In the event of a satisfactory response not coming from the Government, the Congress Working Committee called upon the nation to resume Civil Disobedience, and once again the Government resorted to policy of arrests and convictions of Congress leaders, including M. Gandhi, Mr. Vallabhbhai Patel, Pt. Jawahar Lal Nehru, Dr. Ansari, Messrs. C. Rajagopalachariar, and S. Satyamurti, J. M. Sen Gupta, and many others. There were four new ordinances promulgated, *viz.*, (1) The Emergency Powers Ordinance, (2) Unlawful Association Ordinance, (3) Unlawful Instigation Ordinance, and (4) Prevention of Molestation and Boycott Ordinance. War was declared on the Congress all over the country; there were police raids, lathi-charges and firings, declarations of Congress Committees and allied organisations as illegal; Congress houses and offices were occupied by the police; and ladies were sentenced in different places for leading Congress processions which had been declared illegal. In February, the Bengal Governor was shot at, and a mob attack occurred on a police station: Sir Samuel Hoare explained the Government policy, which was

The Government Policy.

"simple, straight and forward, and sympathetic". "It was a policy of progress combined with firmness"—in his own words. *"Though dogs bark, caravan passes on."*

The liberals appealed to the Viceroy urging that every avenue should be explored for the continuance of co-operation of all progressive parties in the country for the successful conclusion of the Round Table Conference. In the House of Commons Sir Samuel Hoare stated

"that the Emergency Powers did not signify the end of the policy of co-operation. They were not evidence of the conflict between British and Indian political aspirations but merely a bulwark against anarchy, disorder, and revolution, required as much as for the avoidance of strife and bloodshed".

In April 1932, the struggle went on : and arrests and convictions; lathi-charges, and police raids were a common occurrence at various places. The permission to hold the 47th Congress Session at Delhi was refused by the authorities, and the Reception Committee of Delhi Congress was declared unlawful; and its members were arrested as members of an unlawful assembly. The Congress gathering at Delhi dispersed on the 24th April, after the arrest of Pt. Madan Mohan Malaviya on the previous day. Sir Samuel Hoare, in reply to a labourite member, explained that the Congress organisation had not been declared illegal, only meetings of local bodies in different places were held illegal, as a preventive measure to prohibit the illegal activities of the Congress. Towards the end of April 1932, the Midnapur District Magistrate was shot at. In May 1932, the attempt to hold a district conference at Allahabad failed and ban was placed on the Panjab, Sindh, C. P. and Howrah Political Conferences. Total convictions regarding Civil Disobedience movement numbered 31,194 by the end of May, 1932.

283. VINDICATION OF GOVERNMENT POLICY

On the 25th January, 1932, His Excellency the Viceroy in his opening address to the Legislative Assembly, referred to the political situation and observed that there was no lack of goodwill on the Government's part. He said:

"I and my Government are determined to use, to the full, the resources of the state in fighting and defeating a movement which would otherwise remain a perpetual menace to orderly Government and individual liberty. While the Government will take all the requisite steps to guard against any abuse of the special powers it has been necessary to take, there can be no relaxation of the measures now in force against Civil Disobedience so long as circumstances exist which make them necessary".

He looked with confidence, to the members of the assembly, to support Government in its vindication and maintenance of the conditions on which alone political progress could be surely and successfully pursued. However, on the other side of the policy of the Government, His Excellency took the assembly in confidence and explained

"the determination of the British Cabinet to proceed with the detailed examination of the constitutional problems still unsolved and to pursue, without interruption, the method of co-operative consideration to the end".

His Excellency had referred to the action taken by Government at Christmas, 1931, to terminate the menacing *activities of the*

Red-Shirt Organisation : and he must have had in mind that in the early part of January, columns of troops were operating in Peshawar, Kohat, Bannu and Dera Ismail Khan districts in support of the Civil administration against certain recalcitrant villages. However, the situation had improved in the last-named three districts, although the process of restoration of law and order was a slower process in the Peshawar district, especially in the Mardan and Charsadda subdivisions, where the movement had its birth. By the end of February, restrictions under 144 Cr. P.C. had been withdrawn from several places in the Peshawar district. By March it was noticeable that the Muslim community was taking a greater interest in the coming Reforms, and the Red-Shirt and Congress movement had practically died out. However, the Red-Shirt movement revived all of a sudden and manifested itself in an ugly form during the elections for the new Legislative Council. "Almost violent demonstration took place at Pabbi early in April. Stones were thrown at lorries conveying voters to and from the polls and 200 to 300 women appeared on the scene with the Qurans on their heads, to persuade voters not to record their votes. Order was, however, quickly restored," and it is estimated that 60% of the electorate voted. On the 9th April in Charsadda, the situation was even more serious. One candidate was shut up in his house and a Police Sub-Inspector was stabbed. There was a considerable amount of stone-throwing and only about 25% of the electorate were able to record their votes. On the 11th April polling took place at Charsadda for the non-Mohammedan rural constituency. Several thousands of Red-Shirts collected and an attempt was made to wreck the poling station, which was only kept open with the troops and police. Only one vote was recorded. The climax was reached the next day in the Mardan subdivision.

"Huge demonstrations took place at Katlang, Hoti, Maidan, Kalu Khan, and Rustam, and it is estimated that about 30,000 persons must have taken part. Practically none of the demonstrators were Red-Shirts, and there were no fire-arms, but most of the men were armed with *lathis* and there was a good deal of stone-throwing. Twenty-one members of the police force and many of the voters received injuries. The police had to open fire at Katlang, at Mayar near Hoti and at Kalu Khan, at which place one man was reported to have been killed." (a)

(a) Administration Report, N.-W. F. P., 1932-33.

"With the conclusion of the election no further large scale Red-Shirt ebullitions in the Peshawar district had to be recorded for the remainder of the year".

However, there were

"sporadic and ineffective outbursts of picketing, a few secret meeting at night, and painting of mile-stones and trees on Government roads with Red paint".

In November His Excellency the Governor toured the most disaffected areas, regarding the Mardan and Charsadda subdivisions, and nothing abnormal was noticed.

"He was everywhere warmly welcomed and there was no sign of resentment. All punitive posts had by this time been withdrawn, and 90% of the fines inflicted on the villages recovered"

The firm conduct of the Government to maintain law and order has made the loyal element openly helpful, and a further reason for the improvement was to be found in propaganda, that the Hindu Congress had been the cause of a lot of the troubles of the Red-Shirts: Abdul Malik, the Provincial Red-Shirts President, was arrested towards the end of September, and this was followed by the arrest of the general Provincial Secretary designate and other important absconders.

CHAPTER XV.

CHANGE IN CONSTITUTION OF NORTH-WEST FRONTIER PROVINCE.

284. SUMMARY OF EVENTS

The administration report of North-West Frontier Province, 1932-1933, notes the summary of events for the year, and makes a

"special mention of the change in constitution that elevated the province from the status of a Chief Commissionership to that of a Governor's province."

It says:

"As the constitutional history of this province has been different from that of any other province in India, it may be interesting to recapitulate briefly the grounds for this early differentiation and the stages by which equality has been achieved."

285. MONTAGU-CHELMSFORD REFORM SCHEME

(a) *Montagu-Chelmsford Reform Scheme.*

"It will be remembered that the Montagu-Chelmsford Reports of 1918 recommended that for reasons of strategy the province must remain entirely in the hands of the Government of India though they suggested some sort of advisory council. This latter suggestion was not, however, proceeded with and the Government of India Act of 1919, made no alteration in the existing constitution".

286. THE SIMON COMMISSION

(b) *The Simon Commission.*

"In 1930, the Simon Commission emphasized the essential need for uniform control over the settled districts and over the tribal tracts as the only means by which the security of the Frontier could be effectively maintained. They accordingly suggested that there should be no change in the existing arrangements by which the Chief Commissioner combined in his person the dual responsibility of administering the five districts and acting as Agent to the Governor-General in dealing with the tribal area. They proposed to meet the political aspirations of the Province, by creating a local legislature containing indirectly elected representatives with powers of taxation, and of voting expenditure, but recommended that executive responsibility, should, as in the past, rest with the Chief Commissioner."

287. GOVERNMENT OF INDIA'S PROPOSALS AS TO REFORMS

"The Government of India, whose views were given in their despatch of September, 1930, were in favour of giving the N.-W. F. Province a form of Government somewhat more liberal than that proposed by the Simon Commission. They recognised that great changes had occurred in the Province in the 30 years that had elapsed since its creation, and while admitting the weighty considerations which influenced the Simon Commission in favour of restricted and cautious advance, considered that the risk of withholding a generous measure of constitutional advance, as illustrated by the events in the early part of 1930, outweighed those considerations. Further, they considered that the Simon Commission proposals or any form of construction for the N.-W. F. Province which fell so far short of Provincial expectations would not satisfy the political aspirations of the Province and would thus fail to enlist popular co-operation".

(c) Government of India's Proposals as to Reforms.

"Accordingly, they recommended the adoption of a Unitary Scheme approximating to the form of Government in other Provinces, but with adequate power secured to the Head of the Province suitable to the particular local circumstances. This form of constitution had been recommended by the Chief Commissioner and contemplated a legislature to consist of elected and nominated elements in about equal proportions, the size of the council being determined by considerations of what would form convenient constituencies, and it was anticipated that it would comprise a total membership, elected and nominated, of some 30|40 members. The need for resting responsibility both for five settled districts and for the tribal tracts in the same executive authority as already emphasised by the Simon Commission, was recognised. For the administration of five districts it was proposed that the Head of the Province should be assisted by two ministers of whom one should be an official. Instead of remaining a centrally administered area under the direct control of the Governor-General, as recommended by the Simon Commission, it was proposed to devolve authority on the provincial administration with a classification of subjects into central and provincial following broadly the lines of classification in other provinces."

288. CENTRAL AND PROVINCIAL SUBJECTS

"Certain subjects peculiar to the N.-W. F. Province administration, *viz.*, the Frontier Constabulary, the Scouts, Frontier remissions, and allowances, and strategic roads, form examples of subjects which were to be treated as central and dealt with on the then existing basis. Simultaneously with the classification of subjects as central and provincial, it was realised that even after the head of expenditure which would be classified as central had been separated, the revenues locally raised would fall far short of the expenditure needed for the administration of the subjects to be classified as provincial. To meet this deficit a subvention from central revenues fixed on a figure approximating to

(d) Central and Provincial Subjects.

the normal domestic expenditure of the province and subject to quinquennial review by the assembly was suggested. Such briefly were the broad outlines of the Government of India's own proposals."

289. THE ROUND TABLE CONFERENCE PROPOSALS

(e) The Round Table Conference Proposals.

"At the Round Table Conference, the question of the administration of N.-W. F. Province under the coming constitution was the subject of much consideration, and the representative of the province, Sir Abdul Qayum, brought to bear all his eloquence and ability in favour of placing N.-W. F. Province on a level with the other Governor's Provinces. The results of this are seen in the proposals which have been put forward in the *White Paper* issued by His Majesty's Government to the effect that to all intents and purposes the settled districts of the Province should be on a par with all other provinces in India. It was decided, however, by His Majesty's Government that the delay which would have to elapse before the new Constitution of India could come into force, ought not to stand in the way of the earliest possible constitutional advance in the N.-W. F. Province. It was announced, therefore, by the Prime Minister at the close of the second session of the Round Table Conference in December, 1931, that the necessary steps would be taken as soon as might be to apply to the N.-W. F. Province until the new Constitutions were established, the provisions of the existing Government of India Act relating to the Governor's Provinces."

290. RAISING OF STATUS OF FRONTIER PROVINCE

In the course of His Excellency the Viceroy's opening address to the Legislative Assembly, on the 25th January, 1932, Lord Willingdon observed that:

"In the new Constitution, the N.-W. F. Province will find a place, as Governor's Province of the same status as other Governor's Provinces, with due regard to the necessary requirements of the Frontier; but in the meantime, my Government and the Chief Commissioner have been earnestly engaged in preparing a constitution which will forthwith place the Frontier Province on the basis of a Governor's Province under the present Act."

His Excellency considered that

"The new Government and the Legislature must be invested with powers and suitable financial provision must be made. For these purposes the necessary devolution rules have been drafted and are now under technical examination."

Reference was made to the fact

"that the Province, invested with its own authority, will be unable to subsist on indigenous resources,"

Adding that

"The course suggested is the grant of a central subvention. The need for such a subvention and its probable amount are under enquiry by my Government. It is our intention to consult the Indian legislature when the details have been worked out".

The decision to apply to the N.-W. F Province the provisions of the existing Government of India Act, 1919, relating to the Governor's Provinces pending the establishment of the new Constitution, was received with widespread satisfaction and was implemented with remarkable speed in April, 1932.

291. INAUGURATION OF NORTH-WEST FRONTIER COUNCIL

Their Excellencies the Viceroy and Lady Willingdon arrived at Peshawar by air on the 16th April, 1932, and Sir Ralph Griffith was installed as Governor on the 18th April. On the 28th April, 1932, His Excellency the Viceroy (Lord Willingdon) inaugurated the Frontier Legislative Council: and the first meeting for purposes of oath, and hearing His Excellency the Viceroy's address was held, on the 19th April, 1932, in the Victoria Memorial Hall, in the presence of officers—civil and military, Darbaris, Reises, and the notables of the Province.

His Excellency the Viceroy read the gracious message of His Majesty the King-Emperor, and announced that the Frontier Crime Regulation would be suspended for a year to show the spirit that animated the Government. The Viceroy's inaugural speech discussed *the importance of the Frontier,* which had caused Lord Curzon's Government in 1901 to take Frontier affairs under their own immediate management and control by severing from the Panjab, this tract of British India which lies beyond the Indus and forms it with Hazara district into the N.-W. F. Province, with a separate administration of its own . His Excellency referred to

"the most daring and the most momentous political experiment ever attempted by any branch of the human race", "in the establishment of forms of representative Government and the introduction of democratic institutions, with all their latent hopes and possibilities, into the administrative fabric of the country,"

and observed that

"The purpose of the gathering was to celebrate the fact that, after years of waiting, this province had been made a Governor's Province, and had been

President and Members of the N.-W. F. P. Legislative Council.

The Evolution of the North-Western Frontier Province.

placed on a footing of equality with the other provinces in India" and had received the first instalment of reforms. His Excellency quoted from the Instrument of Instructions referring to the Governor's duities and responsibilities, especially those bearing on the advancement and protection from neglect or oppression of the minority communities.

The Council consisted of 40 members of whom 28 were elected and 12 nominated. The communal proportion was elected 22 Moslems, 5 Hindus and one Sikh. The nominated members comprised 5 Europeans, one Moslem, and one Sikh officials, and 4 non-official Moslems, and one Sikh non-official. There was not a single Hindu, official or non-official nominated member: Nawab Sir Sahibzada Abdul Qayum Khan was appointed the sole Minister-in-charge of the Transferred Department of the N.-W. F. Province. Khan Bahadur Abdul Ghaffar Khan, Khan of Zaida, a nominated member, was appointed the first President of the Council, and subsequently Khan Bahadur Abdul Rahim Khan, an elected member, was unanimously elected as Deputy President. Sheikh Abdul Hamid, a member of the Provincial Civil Service, was appointed Secretary of the Council. An official statement records that

"The House quickly resolved itself into four natural and on the whole fairly cohesive parties, *viz., Liberals,* numbering 9 members and consisting of the Khans or landed gentry; the *Independent Party,* the majority of them lawyers, numbering 8; the *Minority Party,* numbering 7 and consisting, as the name implies, of Hindus and Sikhs: and the *Progressive,* or Constitutional, *Party,* numbering 9 members. In addition to these there was the Government bloc of official members. The independents, who, apart from the official bloc formed the only solid party, constituted the official opposition to the Government. None of the other parties was completely cohesive, with the result that the Government benches, though never quite certain who would join them, could generally rely upon the support of at least two of the parties".

The first meeting of the Council to conduct regular business was held on the 12th May, 1932, in Town Hall, Abbottabad, and ended on the 27th. "The second session was held at Peshawar between the 9th and 25th October and was mainly devoted to Legislation."

292. THE WORK DONE BY THE NORTH-WEST FRONTIER LEGISLATIVE COUNCIL

The Council had in all 11 sessions, extending over 105 sittings. Over 1,800 questions were asked during the lifetime of the Council, by 28 members, the prominent amongst those being Mr. Pir Baksh Khan with 274, and R. B. Mehr Chand Khanna with 240 questions,

Khan Abdul Ghaffar Khan coming next with 195 questions. Only 68 Resolutions were discussed by different members during the eleven sessions. Of these 15 were withdrawn, 17 lost and 36 carried. Mr. Abdul Qayum Khan, and K. B. Ghulam Haider Khan moved five Resolutions each: four other members moved four Resolutions each, *viz.*, Khan Habibullah Khan; Khan Ghulam Rabbani Khan, Khan Malikul Rehman Khan, and Mr. Pir Baksh Khan: R. B. Mehr Chand Khanna moved 3 Resolutions, namely, (1) opening of Government High School for girls at Peshawar, (2) Remission of Kohat loan and (3) *Representation of minorities in the Cabinet.* One of the most important of the Resolutions recommending the release of all political prisoners lapsed after the speech of the mover. A Resolution recommending the reduction of land revenue by 50% was carried by 19 votes to 18, on a division claimed by the mover. The excise grant was thrown in the first session. In March, 1936, session of the Legislative Council, a non-official Resolution was carried recommending the establishment of a unitary University at Peshawar. Dr. Orgill, D.P.I., said that the Local Government submitted a strong case for a grant to the Government of India, hoping it would include it in the subvention. Sir Abdul Qayum, Minister, said that the new university would cater to the needs of the tribal area forming half the province. It was not their intention to transmit to the tribal area ideas imported by mistake from South India. During the Council sittings, twenty-two Bills were introduced in all, of which fifteen were Government Bills, and seven private Bills. One of the private Bills lapsed owing to the absence of the mover; the rest of the Bills, official and unofficial Bills were the following:

1. The N.-W. F. P. General Clauses Bill.
2. The N.-W. F. P. Legislative Council; 1932.
3. The N.-W. F. P. Public Tranquillity Bill, 1932.
4. The Indian Arms (Amendment) Bill, 1934.
5. The N.-W. F. P. Legal Practitioners Bill, 1934.
6. The Panjab Opium Smoking (Amendment) Bill, 1935.
7. The N.-W. F. P. Courts Regulation (Amendment) Bill, 1935.

*8. The N.-W. F. P. Regulation of Accounts Bill, 1935.
*9. The N.-W. F. P. Redemption of Mortgages Bill, 1935.
*10. The Usurious Loans (Amendment) Bill, 1935.

11. The Panjab Land Revenue (Amendment) Bill, 1936.

12. The Hazara Forest Bill.
13. The N.-W. F. P. Legislative Council Bill.
*14. The Panjab Land Alienation (Amendment) Bill.
15. The N.-W. F. P. Motor Vehicles Taxation Bill.

The four Bills marked in asteriks, introduced by the Government, affected the money-lending classes, and the trend of the Legislation was anti-minorities.

The private Bills passed were:

1. The Panjab Municipal (Amendment) Bill, 1933.
2. The N.-W. F. P. Juvenile Smoking Bill, 1933. (Moved by R. B. Mehr Chand Khanna).
*3. The N.-W. F. P. Muslim Personal Law, (Shariat) Application Bill, 1936.
4. The N.-W. F. P. Village Council Bill.
5. The N.-W. F. P. Petty Zamindar's Relief Bill.
6. The N.-W. F. P. Anti-Prostitution and Suppression of Brothels Bill.

The first two official Bills were passed in the form in which they were introduced, " while the third, which was designed to replace the provisions of the special powers Ordinance of 1932 met with considerable opposition, and was referred to a select committee. Two hundred and eighty-five Amendments were tabled to the Bill in the form in which it emerged from the committee, mainly by the independent party, and despite the nine devisions claimed by the opposition and the fulminations of a certain section of the Panjab Press against such members of the Council as could have the temerity to support it, the Bill was finally passed with little substantial alteration of the original draft. It was a matter of official satisfaction that this Act which repeated the great part of the unpalatable ordinances was accepted by the N.-W. F. P. Legislative Council first of all provinces in India."

The Legislative Council had the following standing Committees: 1. The Public Accounts Committee, 2. The Finance Committee, 3. The Reserved Subjects Committee, and 4. Transferred Subject Committee.

293. THE WORKING OF THE TRANSFERRED DEPARTMENT IN NORTH-WEST FRONTIER PROVINCE

The Transferred Department was in the hands of Nawab Sir Sahibzada Abdul Qayum, the sole Minister. He had given public assurances at the Round Table Conference that, in case of grant of reforms; the minorities will receive singularly generous treatment at the hands of the majority community. In a pamphlet by "a Frontier Hindu," the position of the minorities in the N.-W. F. Province under his regime is reviewed showing the gradual elimination of Hindus from all public services of appointments of less qualified Muslims in preference to the Hindus and Sikhs in posts since created. and of meeting differential treatment in the matter of educational grants, etc. The Islamia College, Peshawar, where most of the students are Moslems, got an annual grant of over 1,80,000, but the Bharatri College, Dera Ismail Khan, a Hindu institution, could not get an additional grant of rupees five thousand in the year 1932-1933: In 1933, all five scholarships of Rs. 250 per annum went to Moslem students. Three Moslem candidates were selected for Central State scholarships of £350: and no Hindu candidate was selected. One fact is clear that since the inauguration of reforms in N.-W. F. Province, not only in Transferred Department but in the Province as a whole, no Hindu, whatever his personal merits or qualifications, has ever risen or been appointed to any of the superior jobs: A Sikh gentleman, S. Raja Singh, was no doubt appointed as Legal Remembrancer and Government Advocate, and he has now been made Advocate-General under the new Reforms Scheme: and one Hindu gentleman happened to be Secretary in the Financial Department having been imported from Panjab for his special financial experience, but all other big offices have gone to Mohammedans, and Hindus have been ignored or excluded altogether: Of course, the Hon'ble Minister-in-charge of the Transferred Department was a Moslem but the President and Deputy President of the Council, as also its Secretary and Assistant Secretary were all Mohammedans, as if none of these jobs could be fitly given to a Hindu or Sikh. The same policy of excluding Hindus

Nawab Sir Sahibzada and K. B. Kazi Mir Ahmed Khan at Obhrai Cottage, Peshawar.

from all highly paid offices has been observed in the Judicial Department. The Additional Judicial Commissioner, and the four District and Additional District and Sessions Judges were all Moslems. Recently a Hindu District and Sessions Judge has been appointed and the Registrar, Judicial Commissioner's Court, is a Hindu. Since 1930, even the three Public Prosecutors at Peshawar, and one each at Hazara, Bannu and Dera Ismail Khan have all been taken from the Mohammedan member of the Bar. There was only one Hindu Public Prosecutor, for Kohat district. In the Provincial Civil Service out of 38+16 posts of E. A. Commissioners, and Sub-Judges 33+13 posts went to Moslems and only 5+3 were Hindus and Sikhs. In the Police Department, 14 Moslems got all the posts of Deputy Superintendents only one officiating and one Assistant Superintendent were now Hindu or Sikh; only 9 Hindu and Sikh Inspectors out of thirty-three appointments: Similarly 131 Sub-Inspectors, and 106 Moslem Assistant Sub-Inspectors were appointed out of 173 and 117, respectively. Likewise 459 Head Constables, out of 553; and 4,542 Constables out of 5,082 were Moslems. In the Educational Establishment, of 3 appointments to I. E. S., two were Englishmen, and one Mohammedan: In the Provincial Educational Service, all ten posts went to Moslems. The five District Inspectors of Schools were all Mohammedans. The Personal Assistant to D.P.I., the Registrar, Educational Department, the Vice-Principal of the Training College, were all Moslems. In the subordinate educational service, and as Headmasters of Government High School, four persons out of fourteen were from the minority classes, and only 21 Hindu and Sikh teachers in District Board Schools as against 173 Moslems. There were 5 Hindu and Sikh clerks in Education Department as against 41 Moslems. In the Training College, Peshawar, 91 Hindus and Sikhs were admitted as against 885 Moslems, and 58 in the Junior Middle Classes as against 634 Moslems. In the Revenue Department, there were 18 Moslem Tehsildars, and only one or two from minorities: also thirty-one Moslem Naib-Tehsildars as against 5 Hindus and Sikhs. In 1933, all nine newly selected Naib-Tehsildars were Moslems. The two agricultural officers and ten assistants in Agricultural Department were Moslems, and this Department had only 2 Hindu and Sikh assistants. Not a single clerk in the Agricultural Department was a Hindu or Sikh. In the new establishment employed for the construction of Paharpur Canal, 3 Sub-overseers, and 3 clerks were recruited and all these 6 clerks

were Moslems. In the Forest Department, there were two Mohammedan officers in Provincial Service, and not a single Hindu or Sikh. In the Post and Telegraph office, there was no Hindu or Sikh Gazetted officer. The Veterinary Department showed the same exclusion of Hindus and Sikhs, as Superintendent, Deputy Superintendent or Assistant Surgeons, were all Moslems: out of 26 Assistants, only 3 were Hindus or Sikhs: There were no Hindu or Sikh Inspectors or clerks in that Department: In the Co-operative Credit Societies Department, all 98 posts were given to Moslems. The Communal preference in this Province is based on the theory that the Province is mostly a Mohammedan province, and Hindus have little or no claim to services which must be reserved for members of the majority community. Elsewhere in India where the Hindus are in a majority community, the principle of minority protection comes into operation. The Mohammedans must be preferred, and given special concession, because they are in a minority. The Hindu and Sikh minority communities are being sadly ignored in N.-W. F. Province because they are a minority community, whatever their importance as largest tax-payers, or by reason of their intellectual advancement. In an interview with His Excellency, Lord Willingdon, at Peshawar, to which the writer was summoned, probably to discuss the question of reforms from the Hindu viewpoint, His Excellency was pleased to inquire if the Hindus were satisfied with the Reforms Scheme. The writer could see no special ground for satisfaction, and explained the position in detail. The Hindus of N.-W. F. Province were loyal, submissive, patient, and depended upon the Government for safeguarding their lives and property, and protection of their honour: Some of them were inclined to Congress views of Independence, but they all had their political aspirations, in which they were sadly disappointed, being ignored as a community and their importance in services and in representation had to be fully recognised to keep them satisfied with the new order of things. His Excellency was surpised to find that men of highest intellectual gifts amongst the Hindus were, time after time, being passed over in favour of Moslems of inferior qualifications in almost all the important departments of N.-W. F. Province Administration: and His Excellency hoped that in future they would get their due share in administration, rising to highest posts for which they were fully qualified.

Further illustrative cases of communal preference, cited in the

pamphlet, are the appointments given to 5 Moslems of inferior qualities to new posts for probationary Sub-Divisional Officer's created in 1933, after rejecting all applications of Hindus, including some highly qualified graduates of British Universities. In the Forest Department, all 12 retrenched posts were from amongst the Hindus. Only four E.A.Cs. in the Province were Hindus as against 45 permanent and 11 temporary Additional E.A.Cs.: and during the past 12 or 13 years only one permanent and one temporary Hindu E.A.C. has been appointed as against 9 permanent, and 13 temporary Moslem E.A.Cs.: In Municipal Department, the Hoti Mardan Municipal Committee has 75 Muslim employees as against 5 Hindus, and 2 Sikhs. In the Armed Reserve Police, only 7 non-Moslems find a job out of 150 appointments. In all subdivisions, the Head clerks in the offices of the Assistant Commissioners are Moslems. The curious part of the matter is that no Hindu has been ever nominated to represent the province at the Central Legislative Assembly, Council of States or at any Round Table Conferences. In the Provincial Legislative Council, 1932-1937, out of 12 nominated seats, not one was offered to a Hindu, in spite of all their political acumen. Recently, in connection with the Joint Public Service Commission for the Panjab and N.-W. F. Province, His Excellency the Governor, N.-W. F. Province, appointed one Junior European Professor, from Islamia College, to this important post, when only one member was to be taken on the Board from this Province. But, when the Panjab Government having nominated one European, one Hindu, one Sikh, and one Mohammedan, as Public Service Commissioners, another Mohammedan was required on the Board to make up the Panjab deficiency, the appointment was given to a Mohammedan gentleman from N.-W. F. Province, to serve the double purpose of making up for the Panjab deficiency of a Mohammedan, and to provide a representative of the majority community of N.-W. F. Province, on the Board of the Public Service Commission. By this arrangement no Hindu or Sikh from N.-W. F. Province can ever be appointed on the Board. This is protection of the Hindu and Sikh minority interests in the Public Services of the Province with a vengeance. It is suggested that the appointment of 2 Europeans on the Board is a luxury, especially when the President of the Board is a European. That the Panjab should have 2 Mohammedans, one Hindu and one Sikh on the Board, and similarly N.-W. F. Province should have one Mohammedan and one

Hindu or Sikh as Public Service Commissioners; thus securing 3 members for Mohammedan community and 3 members of non-Moslem communities, and one European President of the Board, to give complete representation and satisfaction to all interests.

284. THE ANTI-HINDI-GURMUKHI CIRCULAR

The circular, commonly known as "Anti-Hindi-Gurmukhi Circular," was the greatest achievement of the Transferred Department. This circular aimed at the elimination of Hindi and Gurmukhi languages from all recognised girls schools, whether receiving grants-in-aid or maintained by the local bodies. The circular was of a drastic nature and laid down that the medium of instruction in all schools should be Urdu or English, and that if any recognised school fails to replace Hindi and Gurmukhi by Urdu it will forfeit grants-in-aid. This rule applies with greater stringency to the various schools which had been opened during the last few years and were awaiting the promised recognition. In their case recognition will be refused if they do not conform to the conditions laid down by the circular.

The promulgation of this circular, by the Secretary, Transferred Department created a widespread stir in N.-W. F. Province, with which Panjab and other Provinces deeply sympathised, as a most unwarranted attack on the Hindu culture and civilization. Representations from Hindu Sabhas, all over the Panjab and N.-W. F. Province, were made against this ill-advised measure to the Government, and it was pointed out that the orders issued would be most harmful to the spread of education in the province particularly female education which it should be the object of the department to encourage by all possible means. In view of the alarm and anxiety caused by this highly offensive circular a Defence Committee of six Hindu M.L.Cs. of N.-W. F. Province Legislative Council, and the writer, as President, was formed to make representations to the authorities, and to secure the withdrawal or cancellation of this circular, by all possible constitutional means. At a largely attended gathering of Hindus and Sikhs, of all shades of religious opinion, from various districts in this province, the writer made the following observations in pointing out to the authorities

"the far-reaching consequences of this novel step, which those in power should have long hesitated to introduce, without its being thoroughly discussed in all its bearings, in full confidence with the leading members of both the important

minority communities who are patently to suffer adversely in the matter of their native sacred languages, before it was adopted so suddenly and unexpectedly by means of the Government circular, which had been rushed in utter disregard for the religious and cultural needs of the two communities, and their undoubted claims upon the State-revenues for their secular welfare and educational advancement, as the most important tax-payers, and contributors to the State-revenues in the province."

The writer ventured to think,

"that it was not at all surprising to find all the elected Hindu and Sikh members of the local legislative council absenting themselves from the sessions of the House, as a painful protest at their utter helplessness in this matter of vital interest and importance to the two important minority communities represented by them".

The Government circular was misdescribed as a Nationalistic move in some quarters. This was a direct blow aimed, for communal reasons, at the religious and cultural needs of the minority communities on whom the Hon'ble Minister did not wish to spend a pice if he could possibly help it, in spite of the fact that they were under his responsible administrative charge. The Mohammedan preference for Urdu was well understood. That met the wishes of the majority community But, a reverse of this step will not be at all tolerated by the minority community in the U. P., if *Hindi* was to drive out Urdu from the field of educational studies there, on the plea of finding a "common purpose" in the administrative adoption of Hindi as second language to English. The semi-religious aspect of Hindi and Gurmukhi languages had been sadly ignored, and the Government was ill-advised in declaring an open warfare against Hindi and Gurmukhi, both sacred languages of Hindus and Sikhs, respectively. The refusal of recognition and withdrawal of financial aids was unjustified, and was intended to force the choice of Urdu in place of the native languages of Hindus and Sikhs embodying as they do their sacred and secular literature worthy of all admiration for all times, whatever the preference attached in Government circles to the study of Urdu as second language to English. The Government, one was entitled to demand, should have played the part of a *neutral* in the Hindi-Urdu controversy, or a struggle for supremacy, as a literary language amongst Urdu, Hindi and Gurmukhi favoured respectively by Moslems, Hindus and Sikhs. The minority communities did not want the Government to take open sides with the majority community by proposing to eliminate by means of the Government Circular, Hindi and Gurmukhi

from all recognised and State-aided schools. Such an action on the part of the Transferred Department in charge of the worthy minister, who was responsible for the introduction of reforms in this province, and bound to carry them out in their spirit a due regard for the protection of the minorities under his charge, was liable to be interpreted, as *Political Favouritism*. This was a calamitous measure, and they all had to struggle for all they were worth against this iniquitous and oppressive move. The present agitated times of communal tensions was hardly suitable for innovations calculated to inflame strong communal resentments. Public opinion all over India was against this ill-advised communal measure. In a statement, signed by all the prominent Hindu and Sikh public men in the Panjab, the Frontier circular and the policy underlying it, was most severely criticised and condemned in unmitigated terms. Raja Narendra Nath described the Circular as

"most unjust, meaningless and ridiculous." "It aimed at shaking the very foundations of Hindu and Sikh culture and civilization and was a direct attack on minority rights."

Mahatma Hansraj observed that

"the Circular in question was an axe on the Hindu and Sikh literature and culture". "Here in India the ideal of female education was only to acquaint them with their religion and culture".

Mrs. Lekh Wati Jain, M.L.C. (Panjab) described the Circular as

"a well-planned attack on the Hindu civilization and Hindu religion by a Muslim minister". "The Circular was indefensible", and "there was not an iota of reason or sense in it which could justify the Circular in any way".

The Circular was bound to let loose, and did let loose the forces of bitter communalism throughout India. The pleas about "a common language", and lack of funds, and the minorities share in female education were minutely examined in press *communiques*, and in representations to the Government. The argument of too many Hindu female schools was unavailing; no logic could justify it. His Excellency the Governor was approached by Hindu deputations led by the author. His Excellency the Governor when replying to the address of the Hindi-Gurmukhi Defence Committee observed that the genesis of the Circular in question was the opinion recorded by two European officers in N.-W. F. Province as to the desirability of having a common language in N.-W. F. Province for the different communities, in English or Hindustani, and that the Resolution of the

Women's Conference in Calcutta was to the same effect and when the local Government sought to enforce this Resolution in this Province there was a "storm of protest" raised against the step. He wanted the deputationists to give up the idea that it was "a communal measure of the worst type" as they called it in their address. His Excellency had failed to realise the strength of the Hindu and Sikh feeling in the matter of which he had now become fully conscious. He advised the deputationists to meet the official point of view, in a spirit of friendly discussion, without communal heat being brought into the affair, so that a formula acceptable to all concerned might be evolved. His Excellency's suggestion was adopted. The deputation waited on the Executive member and the Hon'ble ministers; and were given a full hearing, but nothing came out of the interviews.

295. THE FRONTIER OBSERVES BLACK DAY

Later, when nothing came out of these interviews a Black Flag Day was celebrated, headed by R. B. Mehr Chand Khanna. At the conclusion of the procession as President of Defence Committee, the writer addressed a gathering of nearly ten thousand Hindus and Sikhs, all in mourning badges.

The following official statement on the Anti-Circular demonstration has been issued by the Hindi-Gurmukhi Defence Committee:

"In response to the call of the Frontier Hindi-Gurmukhi Defence Committee on the 18th April, 1936, the day of introduction of Reforms in this Province was observed as "Black Day" in Peshawar city and cantonment to mourn the issue of the Anti-Hindi-Gurmukhi Circular. Entire business was suspended after 5 P.M. and complete *hartal* was observed. The original idea of taking out a procession through the city had to be abandoned as desired by the authorities. License was granted for a route in the cantonment starting from the Victoria Memorial Hall, where Reforms were first inaugurated in 1932, moving and passing the D. P. I.'s office, the Secretariat, the Government House and the residences of the Home Member and Minister. But the authorities eventually banned the procession passing round the minister's residence.

Protest Against Anti-Hindi Gurmukhi Circular.

"Nearly 10,000 people, gathered at the Victoria Memorial Hall, resented this unwarranted change in the route, but on being addressed by R. S. Mehr Chand Khanna decided to adopt the prescribed route. The procession, over half-a-mile long, started at the scheduled time, 5 P.M., and was orderly throughout. Black flag headed the processionists who all wore black badges and displayed large number of placards condemning the circular and calling upon the Government to protect the legitimate rights of the minorities. Major Cox, Colonel

Sir Hissamuddin, K.B. Arbab Sher Ali Khan, Munshi Ahmad Jan and Mr. Mohammad Jan, Magistrates accompanied the procession.

"After a peaceful march of over two hours the procession ended at the Polo ground, where a mammoth meeting was held under the presidency of Rai Bahadur Diwan Chand Obhrai. From the roof of the pavilion Hindi-Gurmukhi poems were recited and a Resolution was moved by the President, supported by a speech in vernacular emphasising the constitutional aspect of the question. This was supported by Sardar Jaggat Singh Narag, R. S. Mehr Chand Khanna, Member of the Council, and Pandit Raghunath, Secretary, District Hindu Sabha. Sardar Jaggat Singh stressed that Hindus and Sikhs must live in the Province and live honourably. R. S. Mehr Chand Khanna assuring the minority community that the demonstration was in no way anti-Moslem exposed the hollowness of the plea of want of funds. The Resolution was passed amidst cries of "Hindi Gurmukhi Zindabad" and "Circular Murdabad." It was resolved to send copies of the Resolutions to His Excellency the Viceroy and the Local Government.

Two Hours March.

Resolutions.

1. "That this mass meeting of Hindus and Sikhs of Peshawar city and cantonment records its strong condemnation of the Anti-Hindi-Gurmukhi Circular recently issued by the Government in the Transferred Department, N.-W. F. Province, and deeply regrets and publicly mourns the lamentable change of Government policy in the matter of education of Hindu and Sikh girls in this Province of forcing the foreign vernacular of Urdu as the medium of instruction instead of Hindi or Gurmukhi, their native sacred languages, in which are written their religious books and other secular literature of the benefit of which they would be most unjustly deprived by this Circular".

2. "That this gathering gives its united and forceful expression to the hope that this ill-considered measure which is totally unacceptable to the two most important minority communities in this Province and which has been passed in utter disregard of their religious and cultural needs will be reversed by the Transferred Department so as to exclude the Hindu-Sikh communities from its operation and that in any case the local Government will be pleased to extend its constitutional protection and support to the Hindu and Sikh Minorities in a matter of such vital importance to the communities concerned so as to restore their shattered confidence in the Reforms introduced and about to be introduced in this Province."

The Government had stuck to its guns but they had not a word to say in defence of the policy of not extending protection to Hindu religion and culture. R. B. Mehr Chand Khanna, the first Finance Minister, was one of the foremost in agitating against this indefensible measure. R. B. Ishar Das Sahni, the leader of the minorities in the Provincial Legislative Council, contributed most critical and illuminating articles to the Press condemning the policy underlying this circular. The grievance was genuine and it had created a wide-

spread disaffection. The unanimity of Hindu-Sikh opinion against the measure was the completest and most perfect. When Nawab Sir Sahibzada opened his overtures with the Hindu-Sikh Nationalist Party for co-operation in forming a Government under the new Reforms Scheme he was given to understand the position of the minorities in N.-W. F. Province which he well-understood and appreciated. He wanted to shift the blame of this measure to other shoulders, and quietly and deliberately agreed to have this circular withdrawn at no distant date. This was one of the most important terms of the understanding arrived at in presence of His Excellency the Governor: It is extremely satisfactory to note that a very early stage of the life of the new Legislative Assembly this communal measure had been withdrawn, by a recent Government Circular to the everlasting credit of the Qayum Ministry, including as it does R. B. Mehr Chand Khanna, than whom no one has worked harder to get it withdrawn or cancelled. The Memorandum No. ———, p. 6, Bannu 1937, dated Nathiagali,——— 1937, says

"that Government has decided to withdraw the restrictions contained (in previous memo.), regarding the use of various languages as the media of instruction, and the recognition of girls schools, and the payment of grants-in-aid to them. The rules governing the recognition of schools are contained in Chapter III of the Education Code, and Government proposes to adhere to these rules, without the further limitation laid down in the memorandum under reference".

296. CONSTITUTIONAL ADVANCE

In February 1933, His Excellency (Lord Willingdon) the Viceroy in addressing the Assembly observed that

"there is no tarrying on the road of constitutional advance. Steadily and surely the march to Federation proceeds. In spite of themselves, the leaders of the civil disobedience movement will, I feel convinced, be caught up in the living forces of constructive politics, which the near approach of the new constitution is releasing on all sides".

In March 1933, there was ban on the Congress Session, and the Congress Reception Committee was declared unlawful. There were arrests of Congress leaders in Calcutta and alleged ill-treatment by the police of the arrested delegates. At the March Sessions of the N.-W. F. Province Legislative Council, a Resolution was moved by R. B. Mehr Chand Khanna on the subject of adequate representation being assured for the minorities in the Cabinet, of the coming

constitution: R. B. Ishar Das wanted three ministers in the future Cabinet, one of whom should belong to the minorities. Mr. Ruchi Ram declared that they were determined to wreck the new constitution unless they got their due share. The Hon'ble Minister regretted the attitude of the Hindu Members, virtually amounting to opposition to reform for the Frontier. The Resolution was put to vote and carried.

In the beginning of May 1933, Mahatma Gandhi commenced his fast in Yerwada jail. The Government was pleased to release him in view of the nature and objects of the fast, which he was undertaking and the attitude of mind which it disclosed. On release M. Gandhi announced the suspension of the civil disobedience for a month. M. Gandhi appealed to the Government to release all the political prisoners and withdraw the ordinances. He added that if he survived the ordeal of the fast he would take up the thread where it was interrupted on his return from England. Government had an emphatic "No", to M. Gandhi's proposal. A statement issued jointly by Subhas Bose and Sardar Patel denounced the temporary suspension of the C. D. Movement as a "Confession of Failure."

297. THE WHITE PAPER OF DECEMBER 1931

It may be recalled that the proposals for Indian Constitutional Reform followed on the adoption, by both Houses of Parliament, of a motion in December 1931, expressing approval of the Indian Policy of His Majesty's Government as announced to the Indian Round Table Conference.

The Indian Policy.

"That policy, stated in the broadest terms, involved the prosecution of further inquiries and discussions with the object of finding a suitable basis for the conversion of the then system of Government in India into a responsibly governed Federation of States and Provinces, on the understanding that the responsible Government so established must, during a period of transition, be qualified by limitations in certain directions. These limitations commonly described by the compendious term "Safeguards", had been framed in the common interests of both India and the United Kingdom".

A White Paper was issued embodying the detailed proposals for consideration by a Joint Select Committee of both Houses of Parliament in consultation with Indian representatives, and to report upon them. The White Paper dealt with the processes involved in the formation of the Federation of India; the date and conditions for

its inauguration; the Federal Legislature and its Franchise: Governor-General's relations with his Ministers, and with the Legislature.

298. THE PROPOSALS AS TO THE GOVERNOR'S PROVINCES

The Executive in a Governor's Province.

The White Paper also noted, proposals regarding the Governor's Provinces, its executive, and the Governor's special powers and responsibilities; the Provincial Legislature, and its franchise. The North-West Frontier Province was one of the eleven autonomous units, the Government of which was to be administered by a Governor representing the King, aided and advised by a council of ministers responsible to the Legislature of the Province.

"The Council of Ministers was to be entitled to tender advice to the Governor on all matters which fall within the Provincial sphere, other than the use of powers described by the Constitutional Act as exercisable by the Governor at his discretion. The Governor was to be guided by the ministers, unless so to be guided would be, in his judgment, inconsistent with the fulfilment of any of the purposes for the fulfilment of which he will be declared by the Constitution Act to be charged with a "Special responsibility"; in which case the Governor will be entitled, and enjoined, to act, notwithstanding the advice tendered to him, in such manner as he deems requisite for the discharge of his special responsibilities".

299. GOVERNOR'S SPECIAL POWERS AND RESPONSIBILITIES

The Scheme for the Governor-General's responsibilities and powers, was to be applied with some necessary modifications, in the Governor's Provinces. In the Provinces, the administration of Frontier areas was to be excluded from the normal operation of the constitution. The Governor's special responsibilities, akin to those of the Governor-General for the whole of India, will be limited to his own Province. The financial stability of the Provinces will not be imposed on the Governors. The execution of orders, passed by the Governor-General, in the exercise of his special responsibilities, would be an item in the list of the special responsibilities of each Governor. Finally, a special responsibility was proposed to be imposed upon the Governors for the administration of certain excluded areas. The

power was proposed to be conferred on Governors to legislate in emergency by ordinance on provincial matters.

300. THE PROVINCIAL LEGISLATURES

The N.-W. F. Province was proposed to have a Legislative Assembly with 9 general seats, 3 Sikhs, 36 Mohammedans, and 2 landholders special. The allocation of seats and method of election for the Provincial Legislative Assembly was to be in accordance with the provisions contained in the "Communal Award" of His Majesty's Government. The modifications of the communal elected arrangements might be made after ten years with the assent of the communities affected, for the ascertainment of which suitable means would have to be devised.

301. REPORT OF THE INDIAN FRANCHISE COMMITTEE

The Indian Franchise Committee made a report on the 10th May, in which the recommendations included the increase of electorates nearly five times. But the adult franchise was ruled out. The franchise was based on property as well as minimum educational qualifications. It was extended to women also, and the ratio of men-voters to women-voters as also the percentage of the total electorate to the adult population varied from province to province. Special interests were, in some cases, to be given special representation. As regards the Depressed classes, the question of separate or joint electorate, was no part of the Committee's term of reference; yet the Committee made some recommendations. As regards the Frontier Province, which before April, 1932, had no legislative body, the Franchise Committee made no final recommendations. The existing franchise enrolled about 4% of the total population and 12% of the urban. The local Government desired no further increase in urban enfranchisement, but considered that 10% of the rural population should be enfranchised. No special arrangements for labour or of the Depressed classes would be necessary. As regards women suffrage both the Chief Commissioner and the local Committee indicated that public opinion would render it at present extremely difficult. The Franchise Committee suggested that Parliament should decide, in the light of future discussions in the local council, whether the province requires special treatment in this matter.

302. QUALIFICATION OF ELECTORS

The White Paper proposed the following qualifications for electors in N.-W. F. Province:—

"(a) Ownership of immovable property, not being land assessed to land-revenue, but including any building on such lands value Rs. 600 or over. (b) Tenancy of immovable property of annual rental value of not less than Rs. 48. (c) Payment of rate, cess, or tax to a District Board of not less than Rs. 4 per annum. (d) Assessment to any direct municipal or cantonment tax of not less than Rs. 50 (e) Income of Rs. 40 per mensem or over. (f) Ownership, or occupancy as occupancy tenant or tenant or lessee under a written lease for a period of not less than three years, of land assessed to land revenue of Rs. 10 per annum or over."

303. DEBATE ON THE WHITE PAPER

On the 24th March, 1933, the Frontier Legislative Council discussed the White Paper on the motion of the Leader of the House. Mr. Peer Baksh Khan (Independent) expressed general dissatisfaction with the White Paper Proposals, particularly the Ordinance-making powers of the Governors, reservation of defence and external affairs and the limitations placed on the powers of the finance minister. He urged that the subvention should be made a statutory charge on the central revenues.

R. B. Ishar Das (Minorities) expressed satisfaction at the over-generous treatment meted out to the Frontier Province, as regards representation in both Houses of the Federal Legislature. He referred to the significant omission of the words "Dominion Status", which should be definitely incorporated in the Preamble of the Constitution Act as the defined policy of the British Government. Criticising the reservations and safeguards, he said there was no indication in the White Paper when and how they would cease. Mr. Ghulam Rabbani Khan (Progressive) saw through the pages of White Paper the intention of the British Government to deliver the goods to those who were prepared to receive them. *Mr. Abdul Rahim Khan* (Deputy President) said that the White Paper constituted little advance on the present position. If the Indian States joined Federation, why not tribal territory?

R. B. Mehr Chand Khanna pleaded for a representative of the minorities being included in the Frontier Provincial Cabinet. *M. Noor Baksh Khan* said that if the Cabinet be composed of only two ministers, the minorities who formed five per cent of the

population should not expect a fifty per cent share. *Nawab Sir Sahibzada Abdul Qayum Khan* as a delegate to the R. T. C. explained that if they had been unable to achieve what they had desired, the responsibility rested on their own shoulders, and referred to the break-down of the communal negotiations over one Sikh seat during the second Round Table Conference.

304. HINDUS AND THE WHITE PAPER

Evidence urging alterations of the White Paper proposals for India was placed before the Joint Select Committee on Indian Constitutional Reforms at the House of Lords, in August, 1933. The Representatives of the All-India Hindu Mahasabha submitted a memorandum objecting to separate electorates which had been devised for the protection of a minority community. A community which was in a majority in any Province was, therefore, not legitimately entitled to demand separate electorates. A minority community should be given the right to demand joint electorates with the majority community, should it consider it desirable for its protection. They expressed dissatisfaction with the Communal Award of the Government. Lord Linlithgow, the Chairman, in answer to a question by Lord Zetland, said that the Committee was at liberty to consider the Communal Award. But the Muslim attitude was to have no discussion on the Communal Award and Zaferulla Khan stated that

"their association in these further stages was clearly based upon the Award being taken as a final pronouncement upon the matter".

The Hindu Mahasabha represented that the unrest in India was entirely political. Other causes, such as the economic depression and Hindu-Moslem tension, had merely added to the miseries arising from the political struggle. The people had set their heart on full responsible Government with Dominion Status, and until this had been achieved there would be no peace and contentment in the country. The Mahasabha believed that with the attainment of political freedom the Hindu-Moslem tension would disappear. Their memorandum indicated that there was general agreement on the broad policy then being sponsored by the Government, but the agreement was subject to specific modifications under certain heads. The Mahasabha urged that the application of responsibility of the

executive should not be made to depend irrevocably on an All-India Federation; that the period of transition should be defined to mean a period of not more than 10 years; that an impartial arbitration be made to investigate the obligations incurred under the Secretary of State which India was called upon to discharge; and that provision for complete Indianization of the Indian Army be carried out within 30 years. The Mahasabha also contended that a constitution based on the communal decision of the Government could not be one of Dominion Status, nor could it lead to it. In pursuance of the Resolution of the District Hindu Sabha, Peshawar, passed at its meeting held on the 11th January, 1934, R. B. Mehr Chand Khanna, M.L.C., submitted a memorandum to the Joint Select Committee in London, stating the viewpoint of minorities in N.-W. F. Province.

305. THE NORTH-WEST FRONTIER PROVINCE SUPPLEMENTARY STATEMENT

This supplementary statement concerned the special needs of the Province from the point of view of the Hindu-Sikh minorities. The Hindus and Sikhs formed nearly 8 per cent of the entire population: but their importance in the Province could not be measured by their mere numbers: By culture, civilization, race and religion, the Hindus and Sikhs of N.-W. F. Province belonged to the majority community forming 75% of the total population of this vast country. The Pathans, on the other hand, who formed the majority community in N.-W. F. Province, are allied in their race, culture, language, tradition and religion with Pathans of the tribal territory, and of Afghanistan beyond it. The political reaction of these two different peoples, on emergencies like possible foreign invasions, would be different: and from this aspect, the Hindus were the real gatekeepers of India, or Hindustan, the land of the Hindus. Pathan attitude, on the other hand, was unreliable, as evidenced by the conduct of the Pathan tribal militia in 1919, when King Amanullah invaded British territory. Imperial interests, therefore, require that the Hindu-Sikh minority of the Province should not be weakened and suppressed. The Hindus have heavy stakes in the Frontier Province: they hold vast and valuable properties in towns as well as in rural areas. They have invested very large amounts of money in advances as loans to the agriculturists who are pre-

dominantly Moslem: also in public debt of the country, and in National assets of the Province. The Hindus and Sikhs contribute about 80% of the taxes on income, and are the largest contributors towards stamps, excise, and registration revenues. They are also interested in the agricultural development of the country: and in its financial stability, the trade and commerce of the Provinces being almost entirely in their hands. An efficient police, and a strong and impartial judiciary, would be of vital interest to them, as means of maintaining Law and Order in the Province. Under the new Constitution, the Governor will be a more effective member of the Cabinet in the Frontier Province than he would be in any other Province. He would no doubt be able to look after and safeguard All-India, and Imperial interests, but when he happens to deal with a pan-Islamic problem, or with a problem which tuches the interests of tribal or Afghan Pathans he might find serious political and constitutional difficulties with his Legislature, without support from a Hindu or Sikh member in the Cabinet. It was suggested that there should be three ministers in the Cabinet of the Province:—

(1) A Home Minister-in-charge of the protective departments, such as Police, Jails, Justice and General Administration, (2) a Finance Minister-in-charge of the departments of Land Revenue, Irrigation, Forests, Income-tax, Excise, Stamps, and Registration, and (3) a Development Minister for the remaining departments which constitute the beneficent departments. Suggestions were accordingly made for the inclusion of a Hindu in the Cabinet of the N.-W. F. Province, in view of the Imperial interests, and the financial state of the Hindus and Sikhs in this Province, and their commercial and trade interests. The appointment of a Public Service Commission to protect the minority interests in the matter of recruitment to services was absolutely necessary. There should be reservation of seats for the Hindus and Sikhs in District Boards. To maintain the efficiency of administration on a level with the previous administration under the Central Government, or under the Panjab Government, a Commission of Enquiry after lapse of every 5 years was suggested. It was pressed that the majority community should get no preferential treatment for (1) recruitment to services, (2) admission to educational institutions, and (3) acquisition of property. The discriminatory laws like the Land Alienation Act were objectionable.

306. JOINT COMMITTEE OF INDIAN CONSTITUTIONAL REFORM

In 1932-1933, a Joint Committee of the two Houses of Parliament was constituted to consider the future Government of India. This Committee held its sessions in 1932-1933, and 1933-1934, and called into consultation representatives of Indian States, and of British India. Altogether 40 delegates from the Indian States, British India, and Burma, were invited to attend their deliberations. Some public-spirited Hindus from the Panjab and elsewhere, including R. B. Mehr Chand Khanna, from N.-W. F. Province, availed themselves of the opportunity of stating their viewpoints as witnesses examined by the Joint Committee, on the question of Reforms Scheme.

This Committee notes the British achievement in giving to India

"that which throughout the centuries she has never possessed a Government whose authority is unquestioned in any part of the sub-continent; it has barred the way against the foreign invader and has maintained tranquillity at home; it has established the rule of law and, by the creation of a just administration and an upright judiciary, it has secured to every subject of His Majesty in British India the right to go in peace about his daily work and to retain for his own use, the fruit of his labours".

The British Achievement.

As observed in this report.

"The success of British rule cannot be justly estimated without reference to the condition of things which preceded it". "The arts of Government and administration were not indeed unknown to the earlier Hindu Kings, and the strong hand of the Mogul Emperors who reigned between 1525 and 1707 maintained a state which ultimately embraced the larger part of India and did not suffer by comparison with, if it did not even surpass in splendour, the contemporary monarchies of Europe. But the strength of the Mogul Empire depended essentially upon the personal qualities of its ruling House, and when the succession of great Emperors failed, its collapse inevitably followed nor during its most magnificent period was its authority unchallenged either within or without its borders. Its system of Government resembled that of other Asiatic despotisms. The interests of the subject-races were made subservient to the ambitions, and often to the caprices, of the monarch; for the politic toleration of Akbar and his immediate successors disappeared with Aurangzeb. The Imperial splendour became the measure of the people's poverty, and their sufferings are said by a French observer, long resident at the Court of Aurangzeb, to have been beyond the powers of words to describe". "There are pages in the history of India, between the collapse of the Mogul Empire and the final establishment of British supremacy, which even today cannot be read without horror".

Peace and order were restored with the commencement of the British rule.

"It can be claimed with certainty that in the period which has elapsed since 1858, when the Crown assumed supremacy over all the territories of the East India Company, the educational and material progress of India has been greater than it was ever within her power to achieve during any other period of her long and chequered history."

307. EVOLUTION IN CONSTITUTIONAL DEVELOPMENT

The Joint Committee's report notes that the very achievements of the British Government in India had created the constitutional problem.

"'By transforming British India into a single Unitary State, it had engendered among Indians a sense of political unity". "By giving that state a Government disinterested enough to play the part of an impartial arbiter, and powerful enough to control the disruptive forces generated by religious, racial, and linguistic divisions, it had fostered the first beginnings, at least, of a sense of nationality, transcending those divisions" .... "The object-lessons of British constitutional history .... had favoured the growth of a body of opinion inspired by two familiar British conception; that good Government is not an acceptable substitute for self-government, and that the only form of self-government worthy of the name is Government through ministers responsible to an elected Legislature".

They further say, that the political-minded class, while justly appreciating the benefits derived from the British connection, were affected by subtle ferments of education, the impact of the war, and the beginnings of a sense of nationality, and their political aspirations were not to be ignored. The British policy had been so guided and declared in the Preamble to the Government of India Act of 1919. *The constitutional Government in India was to develop by evolution.* The Government in the Dominions had been on English Model, conducted on British principles, and in general conformity with British practice. In India too, the system of Government, while possessing many special characteristics, was no less based on British principles, and was no less a living organism. They considered that

"the future Government of India will be successful in proportion as it represents, not a new creation substituted for an old one, but the natural evolution of an existing Government and the natural extension of its past tendencies."

The Provincial autonomy was a natural development of the Morley-Minto and the Montagu-Chelmsford Reforms. They approv-

ed of the abolition of dyarchy, and wanted the introduction of the principle of responsible Government, and the enforcement of Law and Order. The nature and objects of the safeguards were explained to be not conveying an idea of "an uneffective rear-guard action," nor implying "a selfish reservation of powers inconsistent with any real measure of responsible Government." On the other hand, the safeguards were not to be mere paper declarations, but they were the necessary complement of the responsible Government to retain a substantial power for emergency occasions, until the Indians had become capable of taking and exercising responsibility.

308. THE SUGGESTIONS OF JOINT COMMITTEE

The report of the British Houses of Parliament emphasized the necessity for securing strong executives in the Provinces; advocated for an efficient administration, and for an impartial authority to hold scales evenly between conflicting interests. They had spoken of unity as perhaps the greatest gift which British rule had conferred on India,

"but, in transferring so many of the powers of Government to the provinces, and in encouraging them to develop a vigorous and independent political life of their own",

the Joint Committee felt that they "had been running the inevitable risk of weakening or even destroying that unity." They opined that

"Provincial autonomy was, in fact, an inconceivable policy, unless it was accompanied by such an adaptation of the structure of the central legislature as will bind these autonomous units together".

They approved of the plan of a British-India Federal Assembly: and observed that in converting a Unitary State into a Federation there was clear necessity for guarding against centrifugal tendencies. The Joint Committee were of opinion in view of the difficulties of a federation composed of disparate units, to keep that ideal in view when discussing consultatively, but not by legislation, the scheme of Federal Council of Greater India. The unity of India would, however, be dangerously imperfect, without a constitutional relationship between the States and British-India. There are economic relations between the States and British-India, and an All-India Federation thus presented solid advantages from the point of view of His Majesty's Government, of British-India, and of Indian States. The States had to be assured of a real voice in the determination of the Federal

policy. Responsibility without the States was not a desired solution of the problem. Another factor to consider was the desirability of reserving defence and foreign affairs from the sphere of ministerial responsibility at centre, there must be a division of responsibility at some point, and line was to be drawn at some point where the necessary evils of friction would be minimised. The reservation to Provincial Governors of the responsibility for the maintenance of Law and Order, and to the Governor-General the responsibility for the central subjects, eliminated dyarchy at the centre, but perpetuated it in the Provinces. From the point of view of a purely British-Indian Federation, the Simon Commission's recommendation was sound enough of making the Provincial Governments wholly responsible Governments, and leaving the Central Government wholly irresponsible. In the case of an eventual All-India Federation, the better plan was

"to draw the line within the Central Government itself, in such a way as to reserve the departments of defence and foreign affairs to the Governor-General, while committing all other central subjects to the care of responsible ministers subject to the retention by the Governor-General of special powers and responsibilities, outside his reserved departments, similar to (though not necessarily in all respects identical with) those which are contemplated to be conferred on the Provincial Governors"

A large proportion of the central revenues must continue to be absorbed by the Army budget. In view of the grave issues involved, the Joint Committee recommended a bold and resolute policy, of providing a central authority strong enough to maintain the unity of India, and to protect all classes of her citizens. The Central Government as at present constituted was confronted by a legislature which could be nothing but "a debating society adhering to an executive," which would regard support of Government policy as a betrayal of the national cause. The criticism of such an irresponsible legislature was bound to be mainly destructive; and the disharmony between the Government and the legislature had tended to sap the efficiency of both.

309. FRONTIER HINDUS' VIEW

i. Address of R. B. Mehr Chand Khanna.

In April, 1934, a Frontier, Panjab and Sindh Hindus Conference was held, under the presidentship of Raja Sir Narendra Nath: R. B. Mehr Chand Khanna, as President of the Reception Committee, speaking of the separation of N.-W. F. Province from the Panjab, observed that

"by one sweep of the pen Lord Curzon reduced a substantial Hindu minority of 45% in the old Panjab into a microscopic minority of 8% in the new Frontier Province". "The Hindus had no organisation, and they were afraid ti agitate". "It was true the question of re-amalgamation with the Panjab was intermittently raised by both Hindus and Moslems; but it was finally set at rest by the political morphia administered by the Bray Report."

The Hindus in the Panjab, North-West Frontier Province, and Sindh, he went on to say, had common problems, and common dangers to face. Numerically, they were a minority in all these Provinces; but their number was not a proper index to their importance—applying any test, financial, commercial, or educational. They had a right to live, and to live with self-respect.

"They lay in the war-path of Pan-Islamism," and "could not afford to rest complacently on their oars". "The dream of Pan-Islamism cherished the ideal of a Pan-Islamic State stretching from the Black Sea to Arabia", "and if steps were taken to turn it into a reality, the Hindus of the Panjab, Sindh and North-West Frontier Province shall be the first and foremost to suffer".

Coming particularly to the topic of the "Reforms," introduced in the Frontier, he briefly defined the attitude of the Hindus. Prior to the introduction of the so-called "Reforms,"

"the Hindu community as a whole felt that in view of their numerical weakness, and the communal pronouncements of some of the Mussalman leaders the Reforms would work to their disadvantage." "In view of the peculiar strategic position of the N.-W. F. Province they also felt the need of a strong administration, paying no heed to democratic shibboleths". "Another factor might be the natural keenness of the Hindus for the safety of their life and property and for the honour of their women, because some of them lived so scattered on and near the border where the easy manufacture of arms was no secret". "But once the fateful decision was taken to introduce Reforms into this Province, the Hindus decided to co-operate to the best of their ability: they refused to listen to counsels of non-co-operation; they declined to embarrass the powers that be. They not only acquiesced in the Reforms, but accepted them".

He went on to ask

"But with what results," and he answered, "There had been a change, but a change for the worse" "The Legislative weapon, which brought out such measures as the Regulation of Accounts Bill, was but one weapon in the well-equipped armoury of the majority community". "There had been suggestions of an economic boycott which might cause them incalculable harm". "Abductions and conversions had also been resorted to:" "Departmental measures had been taken to arrest the employment of Hindus in Government departments; and even the reserved half of Government, under pressure from the Transferred half, was revelling in this kind of injustice". "So far as this

Province at any rate was concerned, the saying 'fair field and no favour' had ceased to have any meaning. Our educational institutions were being starved, and our position as a self-respecting minority was being slowly, but surely undermined". "The injustice of it became apparent when it was remembered that all these special measures were taken in the interests not of a minority, but of an overwhelming majority". He spoke "of lack of sympathy of the Government with Hindus in such matters, probably due to their feeling that the Hindus were the arch agitators, and therefore, their enemies": and "the positive apathy of the majority community towards the grievances (of the minorities) was possibly due to their conviction that the latter were harmless if not impotent neighbours".

He said that

"lack of representation in services was bound to otherwise adversely affect their interests in the general administration", and they could not afford "to take to other pursuits rather than unsuccessfully strive to secure Government jobs."

As regards Education Department, it was noticed that

"not only serious attempts had been made to throttle Sanskrit, our mother language, from the Government institutions, but serious handicaps were being placed in the way of our denominational institutions. Discriminatory treatment was being meted out to us in the way of grants-in-aids, scholarships, school-fees, and recognitions".

He also reminded the Conference of

"the need for the necessary provision of safeguards by adequate representation on the Cabinet and in the councils as well as in the federal assembly".

Finally, he suggested the very urgent and immediate need of organisation of Hindu Sabhas all over the country and also the Provincial Hindu Sabhas to serve as a link between them and the All-India Hindu Mahasabha.

ii. Address of the President.

Raja Sir Narendra Nath, as elected President of the Conference, observed that the Hindu minority nowhere asks for special treatment, or puts forward claims which impose any impediment on political advance. He liked to say a few words on the aims and objects of the Hindu Mahasabha, which was established about 17 years ago. These were (*a*) to promote greater union and solidarity among all sections of the Hindu community, and to unite them more closely as parts of one organic whole, (*b*) to promote good feelings between the Hindus and other communities in India, and to act in a friendly way with them with a view to evolve a united, and self-governing Indian nation, (*c*) to ameliorate and

improve the condition of the so-called low castes of the Hindu community: and (*d*) to protect and promote Hindu interests and Hindu rights whenever and wherever necessary. The best way of evolving a nation was to begin by

"uniting the Hindus more closely as parts of one organic whole, and to promote good feelings between the Hindus and other communities in India, and to act in a friendly way with them." "The institution of caste is peculiar to the Hindus, and though it served a purpose in the Hindu History, there is not the least doubt that it has stood in the way of creating a feeling of religious fraternity, which the followers of other religions evince".

He explained that the Mahasabha is not a religious body. It had always been opposed to a policy of discrimination on the grounds of religion for the acquisition of civic rights. Unity was not to be purchased by surrender to communalism.

"The political creed of the Mahasabha is misunderstood and misinterpreted. The Mahasabha is as keen on the attainment of Swaraj as any other body, but it postulates that inter-communal relations should be so framed as to lead to Nationalism".

The constitution should provide, he went on to say, that a communal or caste label gives no claim to preferential ground for the acquisition of any civic right. It was commonly observed that in adjusting the claims of classes and communities, the British Government as a third party followed the separatist policy, which had given immense communal solidarity to the Muslims as a united religious brotherhoods who were treated as one and separate political entity. But the Hindus were far from being an entity, as they had split up into castes: and as long as each class is to be counted as a separate political entity, it was necessary that the Hindus too should conduct themselves as a political entity. He had always held the opinion that recruitment of services, should be made strictly on merit, and looking at the provincial figures he realised that many Hindus were refused recruitment on the ground that they were Hindus. The present discriminative policy was opposed to the spirit, if not the letter of the law. The appointment of a public service commission was suggested: meanwhile, the advisability of a certain proportion of the services being granted to Hindu and Sikh minorities was to be considered, counted after a full examination of the number of Moslems in the service of those provinces in which the Moslems are in a minority.

310. JOINT ELECTORATES FOR NORTH-WEST FRONTIER PROVINCE

At this Conference, a Resolution approving of joint electorates in N.-W. F. Province moved by the author, deserves a special notice: One main objective which the Hindu minority community had in view in this province was its own peaceful and law-abiding existence: They wanted to live and let live "with due dignity and respect." In other words, "not as political serfs." They wished to live in perfect peace and amity with the dominant community, and considered that the poison of communal warfare introduced in body-politic by the separate electorates could only be eliminated by the introduction of joint electorates pure and simple without even the reservation of seats. It was joint electorates alone which lead both communities to work harmoniously for their common welfare. It was a bold and courageous announcement on our part, under the conviction that joint electorates will arrest the growing estrangement between the two communities, we had faith in the righteousness of our cause, and if our Mohammedan brethren elsewhere came round to this view in provinces where they are in a minority, the poison would be completely eliminated, leading to the attainment of perfect Hindu-Moslem unity as a forerunner of Nationality, and freedom which is at present but a sweet dream to be reached. We recognise that already there are signs that communalism threatens the very existence and usefulness of the Hindu community in N.-W. F. Province and hence this gesture on our part. We hoped that wiser Counsels would still prevail in the whole of India to get rid of communal idea in favour of national advance. The speaker hated communal bitterness, fully conscious of its evil consequences to a minority community, but so long as present constitution based upon separate water-tight compartments exists, he is for the protection of the legitimate interests of minority communities in representation and in services, though he would like that efficiency in administration should always be the watchword of the authorities. He stated his belief in joint electorates and a complete understanding between the majority and the minority communities, wherever they happen to exist throughout India. The Resolution was carried.

CHAPTER XVI.

THE GOVERNMENT OF INDIA ACT, 1935.

311. SUMMARY OF CONTENTS

The Government of India Act, 1935, an Act to make further provision for the Government of India was passed on 2nd August, 1935. This enactment consists of 15 parts, and 478 sections, with 16 Schedules.

Part I, Introductory, deals with the rights, authority and jurisdiction exercisable by the Crown, through his representative in India, the Governor-General of India, and the appointment of a Commander-in-Chief in India.

Part II deals with the Federation of India in 5 chapters, *viz.*, Indian States, the Governor-General, the Federal Legislature; Legislative powers of the Governor-General, and power of the Governor-General to issue proclamations.

Part III deals with the Governor's Provinces: subdivided into six chapters, headed as follows: (1) The Provinces; (2) The Provincial Executive; (3) The Provincial Legislature—with general sections 60 to 66, also provisions as to members of Legislatures, §§ 67-72; the legislative procedure §§ 73-77; the procedure in financial matters, §§ 78-83; and procedure generally, §§ 84-87: (4) Legislative powers of Governor: (5) Excluded areas, and partially excluded areas and (6) Provision in case of failure of machinery § 93; "Power of Governor to issue proclamations."

Part IV deals with Chief Commissioner's Provinces, *viz.*, British Baluchistan, The Andaman and Nicobar Islands, Coorg.

Part V dealing with Legislative powers comprises three chapters, (1) Distribution of powers, (2) Restrictions on Legislative powers, and (3) Provisions with respect to discrimination.

The administrative relations between Federation, Province, and States, are the subject-matter of Part VI: and Part VII deals with finance, property, contracts and suits, divided into three chapters. Part VIII deals with the Federal Railway authority in §§ 181 to 199. In Part IX, dealing with the Judicature, provisions are made, for the Federal Court, the High Courts in British-India. Part X deals

with the services of the Crown in India, *viz.*, the Defence Services, Civil Services, the Public Service Commissions, Chaplains and the General. In Part XI, provisions are made for advisers to the Secretary of State, and His Department. Part XII is miscellaneous, and General, which has provisions for the rights and obligations of the Crown in its relations with the Indian States, Aden, Franchise, provisions as to certain legal matters, High Commissioner, and General provisions, and interpretation. The Transitional provisions are contained in Part XIII. In Part XIV, dealing with Burma, as a separate unit, there are 14 chapters, *viz.*, Introductory; the executive; the legislature; and legislation; restrictions on discrimination; finance; the Burma Railway Board; the High Court at Rangoon; the services of the Crown in Burma; miscellaneous provisions as to relations with India; provisions in event of failure of constitutional machinery; provisions as to Secretary of State; and miscellaneous. The final Part XV deals with commencement, and repeals. There are 16 Schedules appended to the Act, dealing with (1) composition of Federal legislature, (2) provisions of this Act which may be amended without affecting the Accession of a State, (3) provisions as to Governor-General, and Governors of Provinces, (4) forms of oaths, and affirmations; (5) composition of provincial legislatures, (6) provisions as to franchise; (7) legislative lists, (8) the Federal Railway authority, (9) provisions of Government of India Act continued in force with Amendments until the establishment of the Federation, (10) provisions as to Governor of Burma, (11) areas in Burma to which special provisions apply; (12) composition of the Burma legislature, (13) provision as to franchise in Burma, (14) Forms of oaths and affirmations, (15) the Burma Railway Board; and lastly the sixteenth Schedule deals with enactments repealed.

312. THE FEDERAL SCHEME

The keynote of the Government of India Act is "the Federation of India": This rests with the Houses of Parliament, by an address to the Crown, on certain conditions mentioned being satisfied. A Proclamation by the Crown, uniting N.-W. F. Province in a Federation under the Crown is awaited. In the words of Lord Stanley it is "the clear intention of Parliament that Federation should follow provincial autonomy, as an integral part of a single constitutional scheme, with the least possible delay." The purpose of the Parliament has been

sought to be achieved without loss of time by immediate examination of "the novel problems presented by the practical application of its provision to the diverse elements of the future Federation": and the question is about to be finally solved in England in a way meeting the Congress opposition to certain details in the scheme.

313. THE FEDERAL EXECUTIVE

(i) *The Federal Executive.*

The Governor-General will be THE FEDERAL EXECUTIVE, administering Federal affairs by a Council of Ministers, not exceeding ten in number, to aid and advise his functions except in so far as he is by or under this Act required to exercise his functions or any of them in his *discretion.* Provided that nothing in this provision shall be construed as preventing the Governor-General from exercising his *individual judgment* in any case where by or under this Act he is required so to do. The terms "discretion": and "individual judgment," are not defined in the Act. The Governor-General is given the discretion to preside at meetings of the Council of Ministers; and "if any question arises, whether any matter is or is not a matter as respects which the Governor-General is by or under this Act required to act in his discretion or to exercise his individual judgment—the decision of the Governor-General in his discretion shall be final, and the validity of anything done by the Governor-General shall not be called in question on the ground that he ought not to have acted in his discretion, or ought or ought not to have exercised his individual judgment." [§ 9(3)].

314. THE FEDERAL MINISTERS

(ii) *The Federal Ministers.*

THE GOVERNOR-GENERAL'S MINISTERS shall be chosen and summoned by him, shall be sworn as members of the Council, and shall hold office during his pleasure. (§ 100).

"The functions of the Governor-General with respect to the choosing and summoning and the dismissal of ministers, and with respect to the determination of their salaries, shall be exercised by him in his discretion" [10(5)].

The control of legislature is provided for in section 10 (2) by enacting that

"a minister who for any period of six consecutive months is not a member of either Chamber of the Federal Legislature shall at the expiration of that period cease to be a minister." "The salaries of the ministers shall be such

as the Federal Legislature may from time to time by Act determine, and, until the federal legislature so determine, shall be determined by the Governor-General." [§10(3).]

315. EXTERNAL AFFAIRS AND TRIBAL AREAS

(iii) External Affairs and Tribal Areas.

The functions of the Governor-General (associated if necessary by not more than three Counsellors whose salaries and conditions of service shall be such as may be prescribed by His Majesty in Council), with respect to Defence, and ecclesiastical affairs, and with respect to external affairs, except the relations between the Federation and any part of His Majesty's Dominions, shall be exercised by him in his discretion, and his functions in or in relation to the tribal areas shall be similarly exercised.

316. SAFEGUARDS OF SPECIAL RESPONSIBILITIES

(iv) Safeguards of Special Responsibilities.

The necessary safeguards in the form of "Special responsibilities" of the Governor-General are created under Section 12, in matters of Law and Order; financial stability and credit of the Federal Government; the legitimate interests of the minority; and the Public Services; Executive action in relation to legislation; Discrimination in trade with the United Kingdom or Burma; the protection of the rights of States; and the securing of the due discharge of Governor-General's functions in the discharge of his powers of discretion or individual judgment.

317. THE INSTRUMENT OF INSTRUCTIONS

(v) The Instrument of Instructions.

The Instrument of Instructions will be issued to the Governor-General by the Crown, on the recommendation of the Parliament, but

"the validity of anything done by the Governor-General shall not be called in question on the ground that it was done otherwise than in accordance with any Instrument of Instructions issued to him."

The Governor-General shall, however, act under the control and directions of the Secretary of State, but the validity of his acts cannot be called in question on that ground. Provision is made for a Financial Adviser, to the Governor-General, and for an Advocate-General for Federation. All Executive action of the Federal Govern-

ment shall be expressed to be taken in the name of the Governor-General.

318. THE FEDERAL LEGISLATURE

(vi) The Federal Legislature.

The Federal Legislature constitution contemplates the representation of the Crown by the Governor-General, and the creation of two Chambers, to be known respectively as THE COUNCIL OF STATE, and THE FEDERAL ASSEMBLY. The former with 156 representatives of British-India, and 104 representatives of the Indian States, shall be a permanent body, one-third of the members retiring in every third year. The latter with 250 representatives of British-India, and 125 representatives of the Indian States, shall continue, for 5 years, unless sooner dissolved, in the discretion of the Governor-General, who can summon a prorogue the Chambers. The Chambers shall be summoned at least once a year. The Governor-General may, in his discretion, address and send messages to the two Chambers. Ministers, Counsellors, and the Advocate-General shall have a right to speak in, and otherwise to take a part in the proceedings of either Chamber, but shall not be entitled to vote. Two members of the Council of State shall be chosen to be respectively, President and Deputy President thereof, their salaries being fixed by Act of the Federal Legislature, and until so provided such salaries to be determined by the Governor-General.

Similar provisions are made for salaries and allowances of members. Provision is made for Legislative procedure, and procedure in financial matters, and with respect to estimates. A schedule of authorised expenditure by the Governor-General, laid before both Chambers, shall not be open to discussion or vote therein. Supplementary statements for additional expenditure are provided for, and special provision as to financial bills guarantees that no tax can be imposed or increased on the Federation Revenues, nor any financial bill introduced or moved except on the recommendation of the Governor-General. The proceedings of the Federal Legislature shall be conducted in the English language, and restrictions are imposed on discussion in the Legislature with respect to the conduct of any judge of the Federal Court, or a High Court in the discharge of his duties: and with respect to any bill or amendment certified by the Governor-General, in his discretion, to affect the discharge of his special responsibility "for the prevention of any grave menace to

the peace or tranquallity in India, or any part, thereof." The validity of any proceedings in the Federal Legislature shall not be open to any inquiry by courts of law.

319. ORDINANCES

(vii) Ordinances.

The Governor-General is empowered to promulgate ordinances in the exercise of his individual judgment, when so required by the circumstances, at any time when the Federal Legislature is not in session, and such ordinances shall have force and validity unless disapproved by both Chambers, up to the expiration of six weeks from the re-assembly of the legislature. With respect to certain subjects, the Governor-General may promulgate ordinances for period of six months, which may be further extended by a subsequent ordinance, in his discretion, on the same being communicated to the Secretary of State for being laid before the Houses of Parliament.

320. ACTS

(viii) Acts.

The Governor-General is empowered in certain circumstances to enact Acts, called Governor-General's Acts, attaching messages which he may consider necessary, subject to the disallowance in the same manner as an Act of the Federal Legislature assented to by the Governor-General. The functions of the Governor-General, under this provision, shall be exercised by him in his discretion.

321. PROCLAMATIONS

(ix) Proclamations

Provision is made by the Government of India Act, in case of failure of constitutional machinery, to issue Proclamations, declaring exercise of his functions in his discretion, and assuming to himself, all or any Federal body or authority: and further, suspending in whole or in part, the operation of certain provisions relating to any federal body, or authority, excepting the powers vested in or exercisable by the Federal Court. Any such Proclamation may be revoked or varied by a subsequent Proclamation: and the Government of the Federation may be carried on for a period of three years by means of such Proclamations.

322. THE GOVERNOR'S PROVINCES

The North-West Frontier Province.

The N.-W. F. Province is a Governor's Province under § 46 of the Government of India Act. It has thus an equal status with Madras, Bombay, Bengal, the United Provinces, the Panjab, Bihar, the Central Provinces and Berar, Assam, Orissa, and Sindh. Provincial Government exists in Berar, subject to the provisions of section 47 : Burma has ceased to be a part of India.

323. THE PROVINCIAL EXECUTIVE

The Governor of a Province is appointed by His Majesty, under the Royal Sign Manual; he is the executive authority of a Province, administering Provincial affairs with the aid and advice of a Council of Ministers, in the exercise of his functions, except in so far as he is, by or under the Act, required to exercise his functions or any of them in his discretion. This does not prevent the Governor from exercising his individual judgment in any case where by or under the Act he is required to do so. The Governor is given the discretion to preside at meetings of the Council of Ministers, and his decision shall be final on questions wherein he is by or under the Act required to act in his discretion, or according to his individual judgment. The Ministers shall be chosen and summoned by him, sworn as members of the Council, to hold office during his pleasure.

"A minister who for any period of six consecutive months is not a member of the Provincial Legislature, shall at the expiration of that period cease to be a minister".

The salaries of Ministers shall be such as the Provincial Legislature may from time to time by Act determine and until the Provincial Legislature so determine, shall be determined by the Governor. The Governor's special responsibilities, laid down in § 52, are on the analogy of Governor-General's special responsibilities detailed in § 12, excepting the financial stability and credit of the Provincial Government. Similarly, there is provision as to Instrument of Instructions: Superintendence of the Governor-General. The Governor of each Province shall appoint a person, being a person qualified to be appointed a judge of a High Court, to be Advocate-General for the Province : In chapter II of Part II, provision is made as to police rules, and as to crimes of violence intended to overthrow Government.

"If it appears to the Governor of a Province that the peace or tranquillity of the Province is endangered by the operations of any persons committing, or conspiring, preparing or attempting to commit, crimes of violence which, in the opinion of the Governor, are intended to overthrow the Government as by law established the Governor may, if he thinks that the circumstances of the case require him so to do for the purpose of combating those operations, direct that his functions shall, to such extent as may be specified in the direction, be excercised by him in his discretion".

While such direction is in force, the Governor may authorise an official to speak in, and otherwise take part in the proceedings of the Legislature, but without a title to vote. The business of the Provincial Government shall be expressed to be taken in the name of the Governor, and orders and other instruments made and executed in the name of the Governor, when authenticated under the rules shall not be open to question. The rules shall provide for the conduct of business of Ministers and Secretaries to Government. In the discharge of his functions, the Governor shall act in his discretion after consultation with his Ministers.

324. VICEROY'S STATEMENT ON CONSTITUTIONAL ISSUE

His Excellency the Viceroy has, in a recent public statement, stated most comprehensively, the attitude of the Government of India, of the Secretary of State, and of the Governor of every Province, on the constitutional issue which had been agitating the whole of India for the past three or four months. In April last, the Congress, which had commanded a majority in the Legislature of six Provinces, felt that, it could not wisely accept office under the provisions of the Act unless it received certain specific assurances from Governors. From the practical point of view, those assurances were not considered essential to the smooth and harmonious working of the constitution, and it was more than doubtful if legally such assurances could be granted by the Governors of various Provinces.

(i) Assurances not Necessary to Harmonious Working.

(ii) Right of Ministers to Co-operation and Assistance of Services.

The Ministers, under the Government of India Act, are entitled to get the co-operation and assistance of the services, and the Governors in different provinces may be relied upon

"to place at their disposal in the fullest measure and with no shade or suggestion of prejudice or personal feeling that help, sympathy, co-operation and experience which the Governors of individual Provinces have promised".

There is no shadow of justification for the apprehensions, however, sincerely entertained,

"that Governors would seek occasion for interfering with the policy of their ministers, or for the gratuitous and uncalled for exercise of the special responsibilities imposed upon them by the Act to impede or challenge ministers in the day by day administration of the Province".

The Government of India Act Scheme was devised to confer

"real and substantial powers on popularly elected ministers to feel that they could with confidence frame and implement with the co-operation of the Governors and of the Services a programme of legislation on broad lines for the benefit of the province the Government of which was in their hands".

(iii) Real and Substantial Power Contemplated.

The Act, and the Instrument of Instructions which must be read with the Act, represent the intention of the Parliament,

(iv) Constitutional Position.

"that, under Provincial autonomy, in all matters falling within the ministerial field, including the position of the minorities, the services, etc., the Governor will ordinarily be guided in the exercise of his powers by the advice of his ministers, and that those ministers will be responsible not to Parliament but to the Provincial legislature".

(a) Minister's Responsibility to Legislature

The special responsibilities of the Governors

"represent the response of Parliament to the demand of substantial and legitimate interests,"..."are restricted in scope to the narrowest limits possible." "Even so, limited as they are, a Governor will at all times be concerned to carry his ministers with him, while in other respects in the field of their ministerial responsibilities it is mandatory on a Governor to be guided by the advice of his ministers even though for whatever reason he may not himself be wholly satisfied that that advice is in the circumstances necessarily and decisively the right advice".

(b) Governor's Responsibility to Parliament.

"The object at which Parliament is aiming in the Act...is that it has transferred the executive authority in the province in practice to ministers, and that the extent to which a Governor, acting in his discretion or in his individual judgment, has vested in him certain responsibilities is restricted to the bare minimum judged to be essential"..."In the ministerial field there can be no interference by a Governor with ministers, save in respect of matters with regard to which he is empowered to exercise an individual judgment"..."The ministers have the duty of advising the Governor over the whole range of the executive Government within the ministerial field including the area of special responsibi-

(v) The Object Aimed at by the Act.

(a) Ministerial Field.

lities. For advice so given, whether on matters within or without the scope of the special responsibilities, ministers are answerable to the legislature. In all such matters in which he is not specifically required to exercise his individual judgment, it is mandatory upon the Governor to accept the advice of his ministers. Within the limited area of his special responsibilities a Governor is directly answerable to Parliament, whether he accepts or does not accept the advice of his ministers. But if the Governor is unable to accept the advice of his ministers, then responsibility for his decision is his and his alone. In that event ministers bear no responsibility for the decision and are entitled—if they so desire—publicly to state that they take no responsibility for that particular decision, or even that they have advised the Governor in an opposite sense."

(b) Special Responsibilities.

"But every Governor will be concerned to have the support of his ministry, or to know that he is not lightly at variance with his ministry when he acts without their support, or against their advice, in the discharge of a special responsibility"...He would, therefore, be expected to put the ministry or the minister, fully in possession of his mind...explain his reasons,...and listen to the arguments on the other side...and modify his proposal to such extent as may be appropriate...or if he is unable to accept his or their view... he will pass his decision...and before passing it he will have exhausted all methods of convincing his ministry that that decision was the right one, given the obligation imposed upon him by the Act".

"The special responsibilities, strictly defined as their ambit is, include in their compass matters and decisions the importance of which inevitably must vary greatly...and the same attitude cannot be adopted in every case."

Where there is a serious disagreement between the ministry and a Governor, the ministry must either resign or be dismissed, the former is more consistent with constitutional practice, and the self-respect of a ministry is at the option of the ministers; and the latter at the option of the Governors. Such extreme cases would, however, be unlikely.

"In the ordinary way such differences as may arise between a Governor and his ministers will admit, with good-will on both sides, of being resolved in the ordinary course of administration by agreement between the two parties, without any question of issues so major as resignation or dismissal coming to the fore."

"Deadlocks need not be anticipated," "in view of the anxiety of all Governors not merely to provoke conflicts with their ministers, to whatever party their ministers may belong, but to leave nothing undone to avoid or to resolve such conflicts".

(vi) Conflicts Need not be Anticipated.

Reviewing the situation, the position was stated to be as follows:—

The late Hon'ble Nawab Sir Sahebzada Abdul Qayum Khan,
K.B., K.C.I.E., First Chief Minister, N.W.F.P.

"The executive authority of a Province runs in the name of the Governor: but in the ministerial field the Governor, subject to the qualifications already mentioned, is bound to exercise that executive authority on the advice of his ministers...In the discharge of Governor's special responsibilities it is open to the Governor, and it is indeed incumbent upon him, to act otherwise than on the advice of his ministers if he considers that the action they propose will prejudice the minorities or areas or other interests affected. The decision in such cases will rest with the Governor; and he will be responsible to Parliament for taking it." "But the scope of such potential interference is strictly limited...and there is no foundation for any suggestion that a Governor is free, or is entitled or would have the power, to interfere with the day-to-day administration of a Province outside the limited range of the responsibilities specially confided to him."

(vii) Review of the Situation.

325. THE THREE MINISTERS

His Excellency the Governor had been pleased to appoint the following three Ministers for the N.-W. F. Province :

1. The Hon'ble Nawab Sir Sahibzada Abdul Qayum Khan, K.C.I.E.
2. The Hon'ble Rai Bahadur Mehr Chand Khanna.
3. The Hon'ble Khan Bahadur Saadullah Khan.

A brief account of the life and activities of the three Honourable Ministers who, with His Excellency the Governor, formed the first Provincial Executive under the Reforms Scheme of 1935, is herewith appended.

326. THE LATE NAWAB SIR SAHIBZADA ABDUL QAYUM KHAN, K.C.I.E.

Starting Service early in life he soon rose by his natural gifts, to positions of confidence, in the executive, and political service, in the time of Sir George Roos-Keppel, his friend and patron. He had enjoyed the trust of several Chief Commissioners, since then, and for the past many years he has been the most outstanding personality in N.-W. F. Province, having consistently played a leading and most successful part in determining the future of his community in the Province, and always serving it to the best of his ability. He was the founder of the Islamia College, Peshawar, which has done so much to spread enlightenment in the Pathan community of the N.-W. F. Province, including the border tracts. He was one of the leading members of the Central Legislative Assembly when representing the N.-W. F. Province as its sole nominated member. He had been chosen

to represent the whole of the Province at the Round Table Conference. He was the first Minister of the N.-W. F. Province Legislative Council, and was then the Chief Minister under the new Reforms Scheme. His speeches were characterised by abundant common sense, though he was apt to lose his temper when twitted with his Pathan mentality. In matters of administration he possessed a unique experience, a shrewd judgment, and considerable tact, but his tendency was believed to be communalistic. He was in favour of separate electorates in India, whenever the Moslem community happened to be in the minority. The policy of his Transferred Department, under the last Legislative Council, had been most unpopular with the minority communities: and the so-called Anti-Hindi-Gurmukhi Circular had created quite a stir in the Province as an ill-advised measure prejudicially affecting the semi-religious culture of the minority communities; but one of the earliest steps taken by the Coalition Ministry, under the new Reforms Scheme, had been the withdrawal of the language circular and the reversal of its policy. He was the leader of the United Muslim Nationalist Party of 16 members in the newly-constituted Legislative Assembly. The Congress and Red-Shirt section of Moslem opinion in the Province were extremely dissatisfied with his views and policy, and curiously enough he seemed to have lost his hold on some other sections of his own community who had every reason to be grateful to him for his various services in and out of power. It is true as observed "by a Frontiersman" that

"to his selfless devotion to the interests of his Province, in which he had spent the whole of his life, and in the public service of which he had spent over half a century, this Province owed to no small measure the position of equality upon which it now stands with the other Provinces in India."

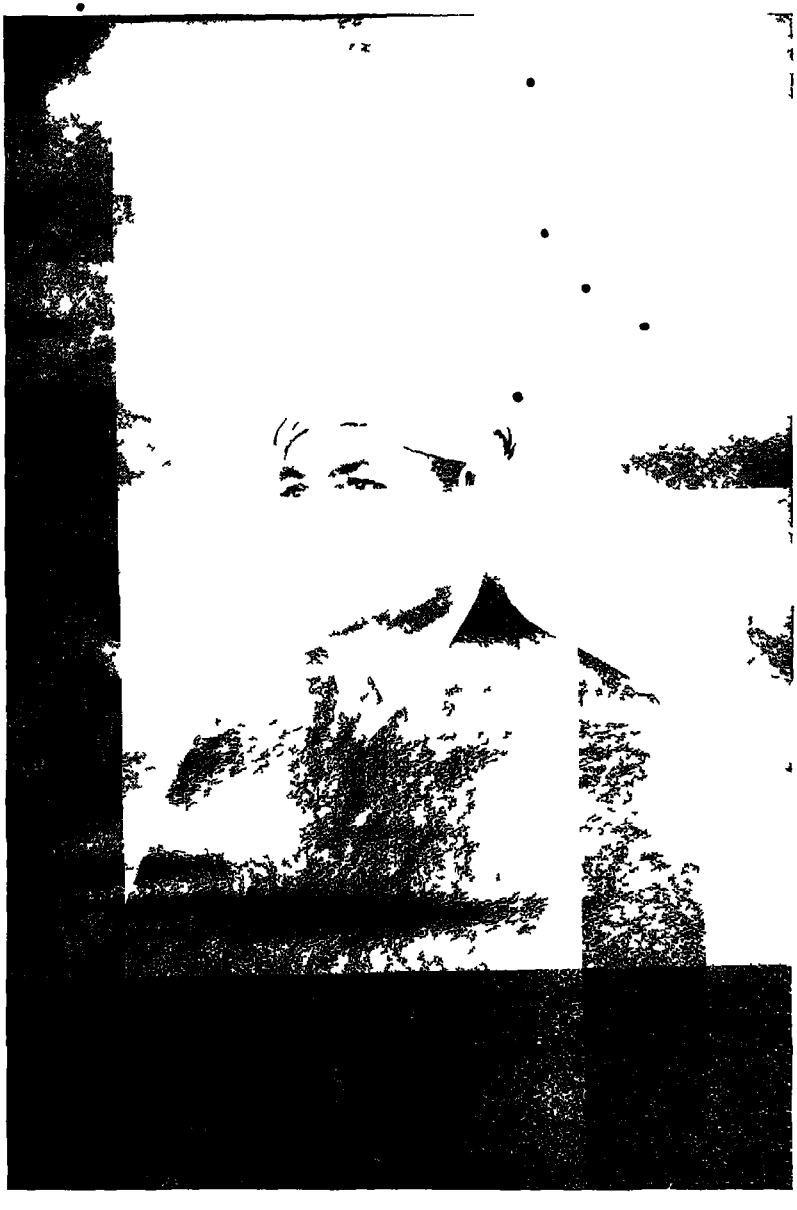
He retired from public life immediately after the fall of his Ministry, and died of cerebral hæmorrhage in his native village, Topi, three months later. His funeral was attended by H. E. the Governor, and all the heads of departments, M.L.As., and the gentry throughout the Province. His death leaves a void in public life of the Province not easy to fill, and he will be for ever remembered as the foremost politician of his age, and one of the greatest benefactors of his community.

327. RAI BAHADUR MEHR CHAND KHANNA

Rai Bahadur Mehr Chand Khanna, Banker, and Landlord, was the youngest Minister, aged about 40, a graduate from Edwardes

Rai Bahadur Mehr Chand Khanna,
Ex-Finance Minister, N-W F. P.

The Evolution of the North-Western Frontier Province.



Khan Bahadur Saadulla Khan, M L A,
Ex-Minister

Mission College, Peshawar, and a nominee of the Hindu-Sikh Nationalist Party, on the first Cabinet. For the past nearly 15 years, he had been a conspicuous figure in N.-W. F. Province, body-politic, having devoted himself to Municipal and Cantonment affairs, and also to several organisations concerned with matters of interest to his community. He is a Director of the Panjab National Bank, and has been interesting himself in the affairs of All-India Cantonment Association. He is the President of Hindu Sabha, Peshawar, and was the Chairman of the Reception Committee of the Provincial Conference held at Peshawar, under the presidency of Raja Sir Narendra Nath. He had served his community as a member on several official Committees including the Regulation Enquiry Committee: and the Franchise Committee: and a co-opted member of the Lothian and Hammond Enquiry Committees. In 1933, he went to England to give evidence before the Joint Select Committee, on behalf of the Frontier minorities as a member of the Hindu Mahasabha delegation. His popularity as a host and his personal charms have secured him a large number of devoted friends amongst the Hindus, Sikhs, and Mohammedans, and his forceful character, and influence with the officials made him a valuable asset to his community. He represented Peshawar city in the first Legislative Council, and distinguished himself as a dauntless advocate of Hindu cause. He now represents Peshawar Cantonment Constituency as a Hindu-Sikh Nationalist member. Like Sir Sahibzada Abdul Qayum, he is not afraid to be dubbed a communalist, and they both knew and understood each other well as former opponents, and then as colleagues. Their mutual respect was born from an intimate knowledge of each other's strength and weaknesses of character. They both professed to belong to parties with "nationalistic labels," but their union was greatly unpopular with the Congress section in the House, and was considered not in the best interests of the Province as a whole. The Congress party had no difficulty in dislodging this artificial combination when the House met for the first time in the September session at Abbottabad.

328. KHAN BAHADUR SAADULLAH KHAN

Khan Bahadur Saadullah Khan, aged 57, is one of the premier Khans, or Reises of the Peshawar district, being a big landlord in his Ilaqa of Hashtnagar. His genial temperament and judicious

frame of mind have made him quite a popular executive and judicial officer and he has done creditable though unostentatious work both as Judicial E.A.C., Revenue Assistant, Treasury Officer, also a senior Subordinate Judge and Deputy Commissioner. He has been Indian Personal Assistant to three Chief Commissioners, *viz.*, Sir George Roos-Keppel, Sir Hamilton Grant, and Sir John Maffey. Being an intimate friend both of the late Nawab Sir Sahibzada and of Rai Bahadur Mehr Chand Khanna, he was trusted to form a valuable link between the two other Honourable Ministers. The public confidence in him was lost due to his association with the other colleagues. He takes a keen interest in educational affairs, and is the Trustee of the Islamia College, Peshawar.

329. SARDAR RAJA SINGH

Sardar Raja Singh, M.A., LL.B., is an Advocate of the Lahore High Court, and of Judicial Commissioner's Court, N.-W. F. Province. He is one of the senior members of the Bar, who came into prominence as a representative of the Sikh minority community. He led the Sikh deputation before the Simon Commission: and was elected unopposed to represent Sikh constituency at Peshawar, in the first Legislative Assembly. He possesses strong common sense, is very religious-minded, and of quiet amiable disposition, and has a calm and convincing mode of address. On the elevation of K. B. Kazi Mir Ahmad Khan to the Bench as Additional Judicial Commissioner, N.-W. F. Province; Sardar Raja Singh was selected to succeed him as Legal Remembrancer, and Government Advocate, as a member from one of the minority communities in the Province. He owes his present position as Advocate-General, as much to his natural ability as to his being the representative of the important Sikh community in North-West Frontier Province.

330. THE PROVINCIAL LEGISLATURE

A one-Chamber Provincial Legislature has been constituted for N.-W. F. Province.

The first meeting of the Provincial Legislature was held on the 15th of April, when His Excellency the Governor addressed the Assembly as follows:—

Sardar **Raja Singh**, M.A., LL.B.,
Advocate-General, N.-W. F. P.

The Evolution of the North-Western Frontier Province.

On the 15th of April, 1937, His Excellency the Governor, in welcoming the members of the Assembly, and congratulating them on their success in the recent elections, observed that

His Excellency the Governor's Address to the Assembly.

Satisfactory Conduct of the Elections.

"the satisfactory conduct of elections, under new and complex conditions, reflects great credit both on the candidates and on the people at large".

His Excellency felt keen pleasure "in thus taking part in the first session of the first under the new constitution." He had watched with constant interest the stages by which the N.-W. F. Province had been brought within the ambit of the new constitution....The Province was excluded from the Reforms of 1919, but since 1932, it has stood constitutionally on a level with the other provinces of India. He paid

The New Constitution.

"tribute to those on whose shoulders had rested the administrative and legislative responsibilities of the last five years, for the public service they had rendered, and for the traditions of dignity and fair-dealing which they had established in this House".

Respecting

"the great changes wrought by the new constitution .... members of this House appreciated the weight of their new responsibilities and the scope of their new opportunities".

His Excellency earnestly hoped that they

"will endeavour to prove themselves worthy of the confidence thus placed in them, and to achieve for this legislature an honoured place among her sister assemblies in India".

His Excellency observed that

"the business of this session was of formal character, and no legislation was to be placed before the House."

He congratulated the Hon'ble Malik Khuda Baksh on his election as Speaker. The immediate concern at the moment was

The Cabinet of Ministers.

"the carrying on of the administration by the Cabinet of ministers, ... which was the first duty imposed upon Government."

A ministry had been formed and assumed office on the 1st of April. His Excellency had his

"constitutional duty to carry on the Government of this Province in collaboration with whatever party may from time to time be in power".

He would

"adhere to that principle, without prejudice or favour" "and trusted that those who are, now or in the future, placed in executive authority as council of ministers will assist him to guide the progress of this Province in the best interests of its people".

Referring evidently to the Congress Party in the Assembly His Excellency observed that

Principles of Co-operation.

"no purpose would be served by disguising the fact that during the last five years the Government, of which I was a member, has been on some occasions in conflict with certain elements in the Province, now strongly represented in this House";

but went on to add,

"I believe myself that the spirit of antagonism has disappeared from the minds of the vast majority of people; it has certainly vanished from mine, and it can find no place in the constitution. I trust, therefore, that no person or party will doubt my readiness to co-operate with them in the Government of this Province, if they are ready to co-operate with me".

His Excellency referring to "the formation of a Cabinet" under the new conditions, observed that

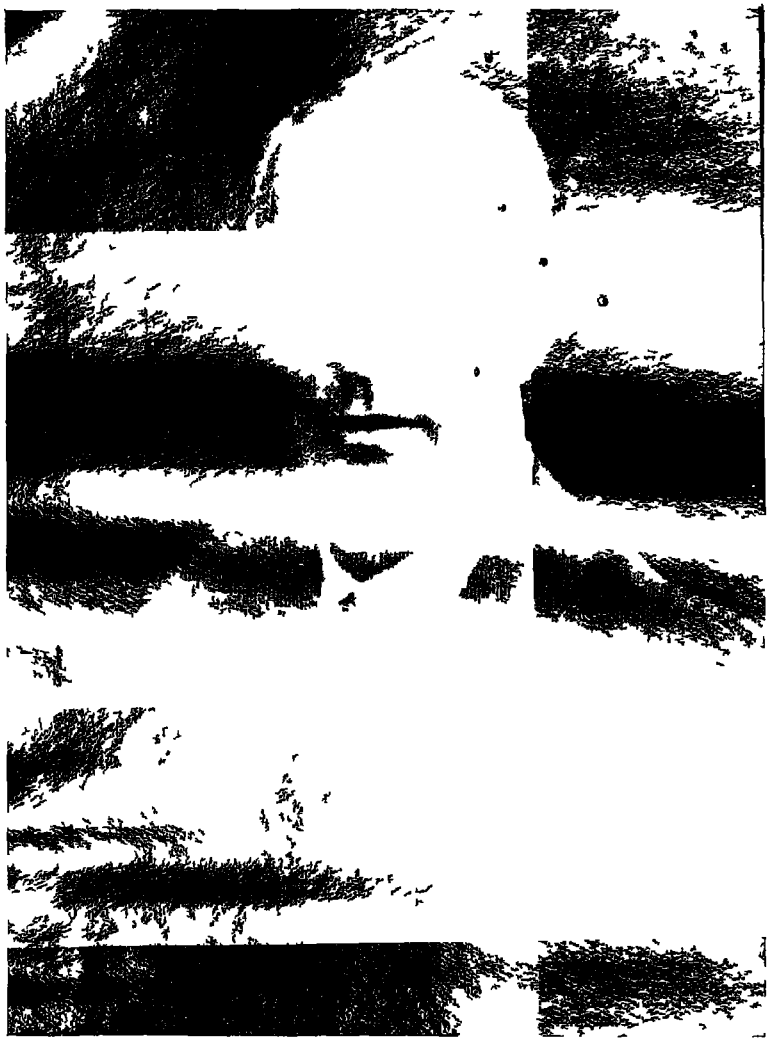
"The Formation of a Cabinet" Under Party System.

"parties will have a reality which they did not possess before, and it is very necessary, therefore, for those who intend to enter this sphere of public life to have a clear idea both of what the party system gives and what it demands." "It provides the only practical way, in democratic institutions, of carrying out a policy or a programme. It provides individual members with a focus for their energies and a means of achieving their personal aspirations. It assures, or ought to assure, to its members a security in the tenure of their seats which as individuals they would hardly have a right to expect". "But the party system also makes demands. It demands the sacrifice, in many cases, of individual desires and ambitions. It demands the cessation of personal feelings which might destroy the unity of the whole body. It demands loyalty to the party, and in particular to its leader". "In no other way can the purpose of a party be achieved, whether that party is founded on a common election programmes or by the coalition of separate groups". "These are principles which apply to every party either now or in the future".

His Excellency observed that

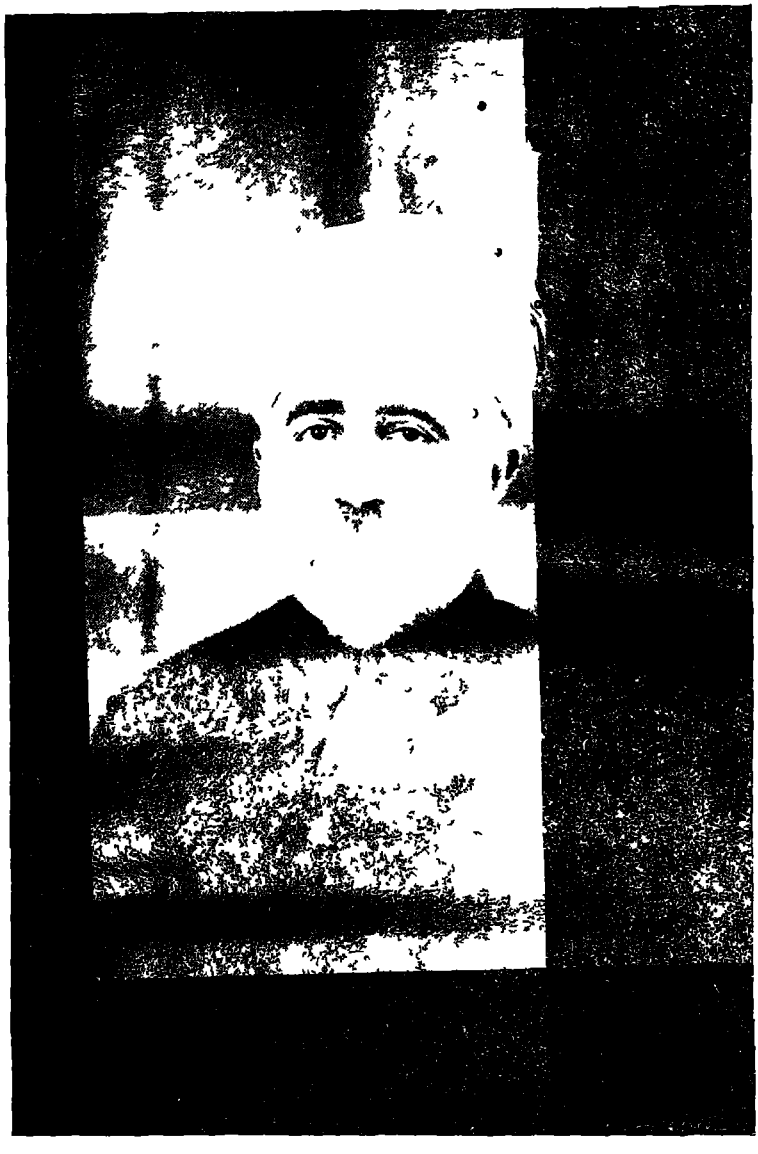
Co-operation and Cohesion.

"of the general desire in this Province to make a success and not a failure of the new Constitution, I feel little doubt; I feel less certain that it is generally realised that only by co-operation and cohesion can successful working be attained."



H E Sir George Cannin
Governor, N W

The Evolution of North Western Frontier



The Hon'ble Mahl Khuda Baksh Khan Speaker

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The Evolution of the North-West Frontier Province.

His Excellency added further

"that the common purpose of a party can only be effective if it is expressed, not in vague formulæ, but in a concrete programme, whether it be of social or economic reform, or improvement in the general system of administration".

His Excellency pointed out that

Stability and Continuity of the Cabinet.

"a further requisite for the successful working of the Executive Government is a reasonable degree of stability and continuity of the Cabinet. Constant changes will defeat the whole purpose of the Constitution, for the inevitable result will be that the administration will virtually be carried on by the permanent officials of Government which was not the method intended by the Constitution".

He, therefore, "emphasized the importance of securing, so far as is possible a reasonable continuity of the executive," without meaning that, "on serious issues, any party should surrender its principles."

The N.-W. F. Provincial Legislative Assembly chose the Hon'ble Malik Khuda Baksh, B.A., LL.B. as Speaker, and M. Mohd. Sarwar Khan, B.A., LL.B. as Deputy Speaker. The Assembly consists of the following 50 members, including the Speaker, and the Deputy Speaker: and it is understood that they belong to the following classified groups, according to their political views:—

I. *The Congress Party.*

1. Khan Abdullah Khan.
2. Khan Abdul Aziz Khan.
3. Khan Abdul Ghafur Khan.
4. Arbab Abdul Ghafur Khan.
5. Arbab Abdur Rahman Khan.
6. Khan Akbar Ali Khan.
7. Khan Amir Mohd. Khan.
8. Qazi Ataullah Khan.
9. Lala Banju Ram.
10. M. Faqira Khan.
11. Dr. C. C. Ghosh.
12. Lala Hukam Chand.
13. Mian Jaffar Shah.
14. Lala Jamna Dass.
15. Doctor Khan Sahib.
16. Khan Mohd. Afzal Khan.

17. Pir Muhammad Kamaran.
18. Khan Mohd. Zamin Jan.
19. Khan Zarin Khan.

II. *United Muslim Nationalist Party.*

1. The Hon'ble Nawab Sir Sahibzada Abdul Qayum Khan.
2. The Hon'ble Khan Bahadur Saadullah Khan.
3. Khan Sahib Abdul Majid Khan.
4. Nawabzada Allah Nawaz Khan.
5. Khan Sahib Asadullah Khan.
6. Khan Azizullah Khan.
7. Captain Nawab Baz Mohd. Khan.
8. Khan Faizullah Khan.
9. Pir Syed Jala Shah.
10. Khan Malik-ur-Rahman Khan.
11. Sardar Mohd. Aurangazeb Khan.
12. Nawabzada Mohd. Said Khan.
13. Nawab Mohd. Zaffar Khan.
14. Lieut. M. Mohd. Zaman Khan.
15. Khan Nasrullah Khan.
16. Mian Ziauddin.

III. *Hindu-Sikh Nationalist Party.*

1. The Hon'ble Rai Bahadur Mehr Chand Khanna.
2. Sardar Ajit Singh.
3. Rai Bahadur Lala Chiman Lal.
4. Rai Bahadur Lala Ishardas.
5. Sardar Jaggat Singh.
6. Rai Sahib Lala Kanwar Bhan, Bagai.
7. Rai Sahib Parmanand.
8. Rai Bahadur Lala Rochi Ram.

The Congress M. L. As.

IV. *Democratic Party.*

1. Khan Mohd. Sarwar Khan (Deputy Speaker).
2. Khan Sahib Raja Abdur Rahman Khan.
3. Khan Muhammad Abbas Khan.
4. Khan Sahib Muhammad Attai Khan.

V. *Independent.*

1. Malik Khuda Baksh (Speaker).
2. Mr. Pir Baksh.

VI. *No Party.*

1. Mr. Abdur Rab Khan Nishtar.

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331. THE CONGRESS MEMBERS

There are 19 Congress members in a House of 49, excluding the Speaker. Their success was beyond expectation, and they secured 4 seats from Hindu constituencies, and 15 from Muslim constituencies. The election cry of this party was on the plan of Congress cries of Independence or Complete Swaraj, with a programme for completely wrecking the Constitution as it does not meet their ideal of a constitution to be framed by the constituent assembly in India, for Indian interests. This is an intensely patriotic section of the House, which has come up to its present level of importance and influence by reason of the sacrifices, and courage and devotion to the National causes, of its leading members. This is a solid group led by Dr. Khan Sahib, the veteran Red-Shirt leader, and has the sympathy of 4 democratic members, and some members of the Hindu-Sikh Nationalist party, whose loyalty to National cause is beyond all doubt; but it had not sought office originally, under the then existing Congress policy, and it was doubtful if it would take office in view of its declared policy of wrecking the Constitution. It

was understood that Dr. Khan Sahib personally was quite prepared to assist His Excellency the Governor in making a Ministry if he was called upon to do so. When the Congress party changed its viewpoint towards Ministries, the Congress party by siding with the democratic party appeared to be inclined to bring about a deadlock in the administration by moving a non-confidence motion against the present Ministry as soon as His Excellency was pleased to summon the Assembly for its regular work of legislation or the Budget policy of administration. Later, the Congress party decided to work the constitution by forming a pure Congress Ministry, by forming a Coalition with Hazara democrats who accepted a formula for helping the Congress programme and policy in N.-W. F. P. A short account of the life history of Dr. Khan Sahib is appended for general information. He was the leader of the opposition in the N.-W. F. Provincial Legislative Assembly: and is now the Prime Minister under the present popular Government.

DOCTOR KHAN SAHIB aged 54, is the elder brother of Khan Sahib Abdul Ghaffar Khan, the founder of *Khuda-i-Khidmatgar* (*i.e.*, Servants of God) organisation, pledged to non-violent creed of Mahatma Gandhi:

Dr. Khan Sahib is an old Matriculate of the Mission School, Peshawar, who pursued his Medical studies at the Grand Medical College, Bombay, and later in England, having taken his degree of M.R.C.S. (London) from St. Thomas Hospital, and for some time he served in France in the Great War. He is married to an English lady. He was in private practice at Nowshera, and Peshawar, and took little or no interest in politics, when the younger brother was "interesting himself more and more in the Congress and the Congress cause."

Khan Abdul Ghaffar Khan took a leading part in the Khilafat agitation, and the Hijrat movement, and he is the recognised leader of the Red-Shirts in N.-W. F. Province. The sufferings of Khan Abdul Ghaffar Khan led the elder brother into a sympathetic attitude towards the Satyagraha movement of Mahatma Gandhi, and his own sufferings and that of his sons in the National cause have now made Dr. Khan Sahib feel deeply interested in Congress politics. He represented the Congress party, as the elected member from N.-W. F. Province, in the Central Legislative Assembly. Mahatma Gandhi bears testimony to his "transparent sincerity, frankness, and utmost simplicity," and

this is exactly the impression he gives to those who have the privilege of knowing him intimately. He is very tolerant towards Hinduism, and Hindus and like his younger brother is a great advocate of Hindu-Muslim Unity. Even before he became a Congressman, he was known to hold broad non-communalistic views, which eminently fit him to be the leader of the Congress group in the North-West Frontier Province Legislative Assembly.

332. THE MUSLIM NATIONALIST PARTY

This party of 16 elected members in the Assembly headed by the veteran leader, Nawab Sir Sahibzada Abdul Qayum Khan Sahib, called itself a "Nationalist" Party, but its outlook was believed to be nothing more nor less than the working of Reforms Scheme in the best interests of the dominating Moslem majority community, except that section of it which subscribed to Red-Shirt or Congress views on the political situation of the N.-W. F. Province.

The leader of this party was called upon by His Excellency the Governor to assist in the formation of a Ministry, in view of his past experience and prestige as a politician or statesman of note who had done so much for his community in this Province. He was strongly opposed by the Congress party and extremely unpopular with the Hindu-Sikh Nationalist group: and could hardly pull along well with the Hazara Democratic group whose adhesion to his party was made conditional on a member of that group being given a Ministership. But, he had succeeded in securing the co-operation of Hindu-Sikh Nationalist Party; on certain terms and conditions which were approved and sanctioned by His Excellency the Governor: and was able to form a Ministry. The manifestoes issued by the Secretary of the Moslem Nationalist Party showed complete satisfaction with the arrangement, as they were hoping to remain in power in spite of so much unpopularity all round, the late Nawab Sir Sahibzada Abdul Qayum Khan Sahib was understood to say that he was pulling along very well with his erstwhile strong opponent on communal grounds in the N.-W. F. Provincial Legislative Council, R. B. Mehr Chand Khanna. After the death of its leader, and partly as the result of election petitions, and some reshuffling of groups, the strength of this party is reduced to about ten members now called "Moslem Leaguers."

333. THE HINDU-SIKH NATIONALIST PARTY

The Frontier Hindu-Sikh Nationalist Party was formed in view of the elections for the last Legislative Assembly, with the purpose of organising the Hindus and Sikhs in the Province safeguarding their common interests and to avoid the danger of individual elected members taking any step in their own personal interest which might eventually affect adversely the interests of the minorities in the province. The party consisted of a nucleus of 22 representatives from different districts, with an executive of three members, R. B. Ishar Das Sahni, R. B. Mehr Chand Khanna, and S. Jaggat Singh, with a co-opted member and President, R. B. Diwan Chand Obhrai and a Secretary, Mr. Charanjit Lal. The elected Leader of the Party in the Assembly was R. B. Ishar Das Sahni, while R. B. Mehr Chand Khanna, the Deputy Leader, was nominated by the elected members of the party in the Assembly for Ministership.

This party in the N.-W. F. Provincial Assembly, consisted of the following eight members who subscribe to the creed of the party as laid down in the election manifesto.

1. R. B. Ishar Das Sahni.
2. R. B. Mehr Chand Khanna.
3. S. Jaggat Singh Naros.
4. R. B. Chiman Lal Khurana.
5. R. S. Kanwar Bhan Bagai.
6. R. S. Parmanand, Bar-at-Law.
7. R. B. Rochi Ram, Dera Ismail Khan.
8. S. Ajit Singh.

The essential differences between the Congress party and the Hindu-Sikh Nationalist Party were that the former stood for a declared policy of wrecking the constitution, while the latter was fully prepared to co-operate with the Government by adopting the policy of working the constitution for all that it was worth. The Hindu-Sikh Nationalist Party was always prepared to advance politically towards the declared goal of Dominon Status, which is the only practicable goal for the present, along constitutional lines. It was not wanting to adopt a destructive policy, merely on sentimental grounds, on the ideal of Independence or Complete Swaraj, which is only possible when the Pathan of N.-W. F. Province as a whole community begin to think themselves as Indians first and last. It had

every sympathy with the Congress party, who are from their own point of view wanting to achieve *Purna Swaraj*, in no time, but the Hindu-Sikh Nationalist Party regarded this as beyond the practical range of politics under the present circumstances of the N.-W. F. Province, and of India as a whole. They were co-operating with the Abdul Qayum Ministry, because this was the only reasonable step they could adopt in view of the failure of the Congress party to decide if it was prepared to accept office when called upon by the Governor to do so. The Congress party had no patience with or sympathy with those who do not completely subscribe to its destructive programme, and they regarded the Hindu-Sikh Nationalist Party consisting of Rai Bahadurs, Title-holders, and Government Contractors, etc., as reactionaries or worse. This party, therefore, failing in their ability to influence Congress policy, had decided to co-operate with the Qayum Ministry on terms and conditions noted below, which formed a sort of pact, sanctioned by the approval of His Excellency the Governor, in the best interests of the Province as a whole. It was believed that the Hindu-Sikh Minority interests would be adequately safeguarded and protected in this manner.

"The Hindu and Sikh Nationalist Party met the Chief Minister designate to-day and agreed to co-operate with the United Muslim Nationalist Party on the following conditions:

(1) Withdrawal of the Circular commonly known as the Hindi-Gurmukhi Circular.

(2) That one member of the Hindu-Sikh Nationalist Party should be included in the Ministry.

(3) That one member of the said party should be appointed as Parliamentary Secretary.

(4) That existing grants to educational institutions be maintained as at present, and that no discrimination shall be made in future.

(5) That 25 per cent of the admission to technical and professional schools and colleges in and outside the Province should be allotted to the Hindu-Sikh community. Stipends and scholarships to be granted on the same percentage.

(6) That, so far as is practicable, 25 per cent of future appointments to the public services should be allotted to the Hindu-Sikh community.

(7) That no legislation adversely affecting any particular community shall be introduced without the consent of three-quarters of the members representing the community in the Legislature.

(8) Out of the 25 per cent mentioned in clauses 5 and 6 above Hindus shall have 7|10 and Sikhs 3|10ths."

334. HOW FRONTIER COALITION CABINET WAS FORMED

The official explanation issued by the Parliamentary Secretary of N.-W. F. Provincial Legislative Assembly briefly stated the position thus:

"The Hindu-Sikh Nationalist Party after careful deliberations agreed to form coalition with the United Muslim Nationalist Party on receiving satisfactory assurances and guarantees. The terms on which the coalition was formed were reduced to the form of a pact, which was signed by the leaders of both parties in the presence of the Governor and the members of the Executive Council. It has been agreed that the Anti-Hindi-Gurmukhi Circular shall be withdrawn and no legislation affecting the minorities shall be introduced without the concurrence of three-fourths of the minority members in the legislature. The terms further deal with representation in the public services, grants to educational institutions, the inclusion of the minority minister in the Cabinet, the appointment of a minority member as a Parliamentary Secretary, the admission of Hindu and Sikh students to technical and professional schools and colleges in and outside the province and grant of stipends and scholarships."

"The Hindu-Sikh Nationalist Party."

"It will be recalled that on March 22, the party passed a Resolution that though there was strong disinclination to co-operate with Sir Abdul Qayum, the party will be willing to co-operate with any group or party whose declared policy is not inconsistent with the creed of the party. We were hoping that some group or party would come forward with whom we would be prepared to co-operate with a view to working the constitution and form a stable Government. Discussions full and free were held by party leaders and members with Doctor Khan Sahib, Sir Abdul Qayum, Malik Khuda Baksh and others. The position, however, underwent a great change when it was learnt on the evening of March 26, that the Congress party in the Provincial Assembly, which comprised nineteen members in a House of fifty, had decided neither to work the constitution nor to accept offices. This left in the field the United Muslim Nationalist Party with an allleged strength of twenty; the Independent Muslim Party consisting of only two members (Malik Khuda Baksh and Mr. Peer Baksh) and one more no-party Muslim member. To form a coalition with the latter two, as they were, was apparently out of the question. All attempts made up to the morning of the 29th March to create a party or group from no-party Muslims strong enough to form a ministry having failed, there was no other course left open for the party but to form a coalition with the United Muslim Nationalist Party, when their leader was prepared to concede our demands to an appreciable extent."

No Course left but to Form Coalition.

"The party is sincerely convinced that the step taken is in the best interests of our communities and, in view of the unanimity of opinion and solidarity in their rank, they feel that they would be able to steer clear of difficulties and work out a useful programme through our Minister (Rai Bahadur Mehr Chand Khanna), who has been nominated by the party itself. It is hoped that Hindus

and Sikhs all over the province will dispassionately consider the situation and give them the same unstinted support which they have done in the past."

It all depends on circumstances what success in future, the H. S. N. Party may achieve in forming alliances with a view to secure a seat on the ministry for a nominee of the party. After the fall of the Coalition Ministry, R. B. Ishar Das Sahni, the leader of this party in the House, has resigned its membership, and is now leading a party consisting of himself and five members of the Muslim Nationalist Group. The Hindu-Sikh Nationalist Party in the House is now reduced to four members, under R. B. Mehr Chand Khanna, as its leader. The seat rendered vacant at D. I. Khan (rural), by the death of R. B. Ruchi Ram Khattar, is now occupied by a Congressman.

335. THE HAZARA DEMOCRATIC PARTY

This party consists of the following members, namely, (1) Khan Mohd. Sarwar Khan (Deputy Speaker), (2) K. S. Raja Abdur Rahman Khan, (3) Khan Muhammad Abbas Khan, and (4) K. S. Muhammad Attai Khan; who had only offered their co-operation to the party which was prepared to recognise the special interests of the Hazara District to the extent of making one of these four a member of the Cabinet, and this was a condition precedent for the party co-operating with the group headed by Sir Sahibzada Abdul Qayum. They were wanting to join the Congress party in the alternative, and would like to see that party in power. One of the members of this party achieved a remarkable success in being elected as Deputy President of the Assembly, mainly, if not entirely by the support of 19 Congress members who voted solidly for him. Some of the members of the Hindu-Sikh Nationalist Party are understood to have supported his election on personal grounds, as the party as a whole was not making this election of Deputy President a party question at all.

The party was determined to try its luck for a seat on the Ministerial Benches, as soon as the Assembly met, and the previous ministry had to undergo its trial of popularity, by being subjected to a motion for non-confidence by the Opposition Benches. This party supported the Congress group in dislodging the old Ministry, and were rewarded by a seat in the Cabinet for one of its members —Mohd. Abbas Khan in charge of the Forests Portfolio.

335.A TOP-HEAVY ADMINISTRATION

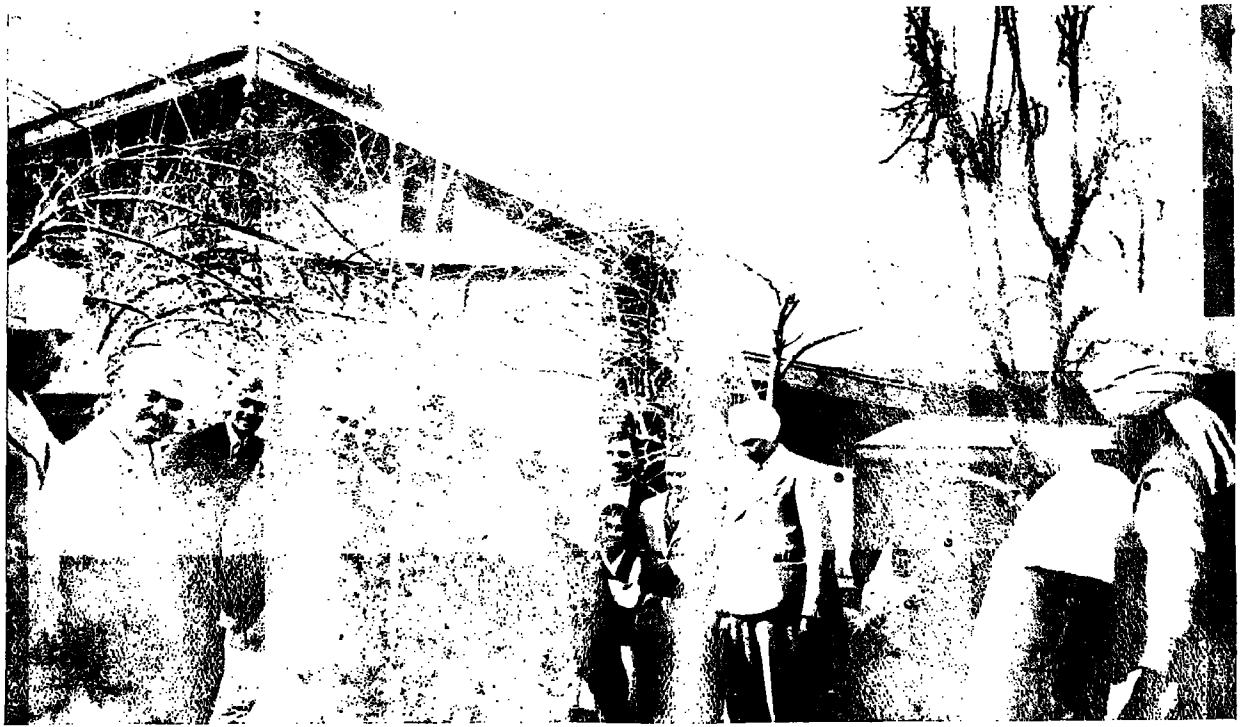
The North-West Frontier Province is a primary concern of the Government of India, on the theory of inseparability of districts and tracts: The question of Defence of India, and the External relations with Afghanistan, and the trans-border tribes is, therefore, a reserved subject, under the Indian Constitution. According to a recent announcement,

"the Defence forces of India are resigned primarily to meet a possible attack on the N.-W. Frontier and to cope with the ever present problem of dealing with tribesmen there, and maintaining internal law and order. It is recognised that the Army in India is fully equipped for this and constitutes a force which is as well prepared as any other to take the field if occasion arises."

In addition to maintaining this big army mainly for Defence purposes, the state of crime on the border, and in the settled districts of N.-W. F. Province, requires a very large element of Police force. The Government spends something like 32 lakhs every year on the Police Department. There are over 250 police officers engaged on investigation duty in connection with thousands of cases, including murders, kidnappings, and other serious crimes, on an average of about a thousand cases a month. A staff of 32 police officers is entrusted with the duty of prosecuting the cases of which cognizance has been taken by the police owing to their serious nature.

The entire Police force of the Province numbers just over 6,000 persons. The existence of crime in the districts requires a heavy outlay of expenditure on Jails Administration in the Province. About 10 lakhs are spent every year on this item of administration. The total number of prisoners in jails comes to about 25,000, *i.e.*, one per cent of the total population of the Province.

The Judicial Department costs the Government about 8 lakhs of rupees. The expenditure on the department safely comes out of the stamp income of over 9 lakhs. Similarly, the Agricultural Department is a self-paying one, as the Land Revenue income of 21 lakhs, with irrigation or abiana income of 11½ lakhs meets the 23½ lakhs required as expenditure on Agriculture (5 lakhs), Land Revenue (3½ lakhs), and the Irrigation Scheme (15 lakhs): and leaves a saving for Medical (7 lakhs), and Public Health 1½ lakhs. The only other income item is 3 or 4 lakhs from forests. But the Government required 21 lakhs on General Administration; about 22 lakhs on Education; 8 lakhs on pensions: and 33 lakhs



January, 1[illegible].

Pandit Jawaharlal planting a tree in G. H. Girls School, Abbottabad.

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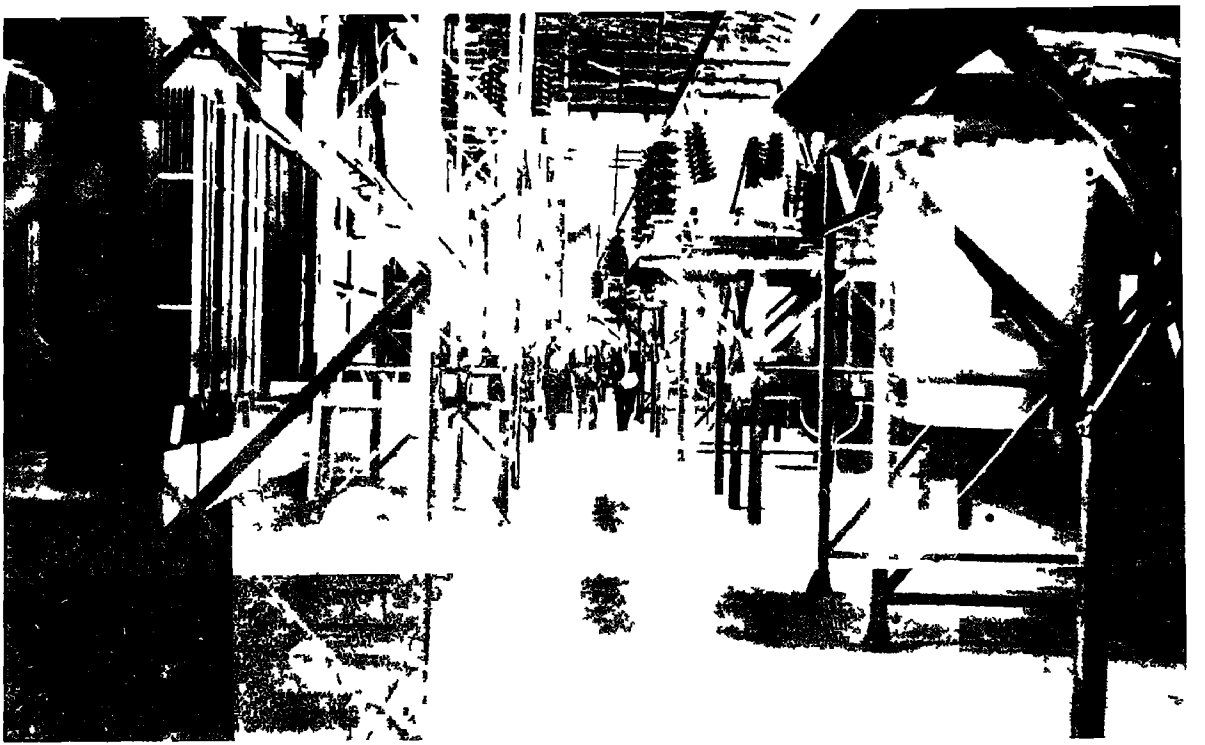

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The Evolution of the North Westerr Frontier Provnce

on civil works besides 42 lakhs on Police and Jails; and must depend upon the subvention from the Central Government or upon the charity of the Government of India. All the Nation-building Departments in N.-W. F. Province are thus being supported by the Central Revenues: The item of "General Administration" is bound to increase enormously with the developments of all the departments run by the Ministers under the Reforms Scheme on Provincial lines in a Governor's Province. Many of the pampered posts have been placed beyond the reach of elected Ministries by the new Constitution. The Congress Ministry is itself working on a very low scale of pay, but the economy chopper cannot, with effect, be applied to the administration as a whole. The fat salaries of Heads of Departments, with Secretariats, and establishments must come from somewhere and the Central Government is asked to pay "the wages of the door-keeper" at this lavish scale—"It is price they pay for maintaining their own safety by means of a peaceful border." It would seem that the one big door-keeper, the Army, and the other door-keeper, the police, are not enough to maintain internal tranquillity and save India from all external dangers. But the cost of a Democratic Asssembly for this miniature Province is to be necessarily borne by the rest of India as an equivalent in value of the splendour and dignity enjoyed by this important province as a Governor's Province, on the self-determination plan, as a part of the "Greater India".

The first Frontier Ministry had not come out with any official programme, but it was understood that a college for women in Peshawar would be an important item, and intermediate classes for girls would be opened in the Lady Griffith Girls' High School, Peshawar. The Malakand Hydro-Electric Scheme will provide several types of skilled industrial employment; and private schools were being encouraged to open post-matriculation commercial classes for typewriting, shorthand and accountancy. A Tuberculosis Hospital at Dadar, Hazara District, and a Central Jail, and big Hospital at Mardan were also under contemplation. The Agricultural Department at Tarnab, was interesting itself in large agricultural improvements in different districts of the N.-W. Frontier Province. The Peshawar popular ministry has started the work of reforms under a great handicap. But it has already shown its activity in various directions. It would like to avoid the monstrous waste of money

on the Frontier in Army expenditure, but that is the main concern of the Government of India, under the Head of Defence and Foreign relations. The salaries of Public servants must be fixed according to the capacity of the people to pay, and the Congress Ministry is expected to introduce substantial cuts, wherever possible, in order to place the Provincial finances on a sound basis. Another important feature of the popular Congress administration has been the introduction of the system of joint electorates in the local bodies throughout the frontier Province, with a reservation of seats for the minorities. The nominated blocs have been done away with, and wards have been revised to make the system of joint electorates with a reservation of seats feasible. The position of the nominated members was considered anomalous. They do not represent the popular Local Government, which they were understood to oppose whenever opportunity offered itself and they were supposed to represent the point of view of the Government which had ceased to be. The local bodies have been now directed to carry on, without the nominated members, and with old elected members alone, until a new enactment, with a joint system of electorates, which reserves seats for the minorities, has been pushed through the Assembly in its forthcoming session. It must be said to the credit of the leaders of the Congress party in N.-W. F. Province that they openly declare their anxiety to keep this Province positively immune from the communal virus, and would like to see Hindus and Moslems to live as brothers.

336. THE CONGRESS MINISTRY

In the beginning of September, 1937, when the Assembly met, the Congress party, headed by Dr. Khan Sahib, and supported by the Hazara Democrats, and the Independents succeeded in passing a motion of no-confidence against the Qayum Ministry. Two members of the Hindu-Sikh Nationalist Party also joined the Congress group in overthrowing the first Ministry. Dr. Khan Sahib was invited by His Excellency to form the present popular Government on 3rd September, 1937, and this he did after the visit of Khan Sahib Abdul Ghaffar Khan, accompanied by Maulana Abul Kalam Azad, and Babu Rajendra Prasad, to Abbottabad, in connection with the formation of a Congress party of 27 members. The Congress Cabinet now includes Dr. Khan Sahib, Premier, Qazi Attaullah Khan, a pleader from Mardan, as Education Minister, in charge of several important

T[illegible] C[illegible]ngress M[illegible]ters.

The Evolution of the Nor[illegible] [illegible]estern Frontier Province.

portfolios, and Lala Bhanju Ram Gandhi, a pleader from Dera Ismail Khan, as Finance Minister: and the fourth Ministership has been created for Khan Abbas Khan, of Mansehra, as Forest Minister. The Hindu-Sikh Nationalist party creed was the closest to the Congress programme, and at one time it was being suggested that if the Congress party were out for a coalition with H. S. N. Party, under the leadership of R. B. Ishar Das Sahni, a stable Government could be ensured for ever in this Province on broad Nationalistic lines. But the All-India leaders of the Congress, who were in charge of negotiations at Abbottabad considered it safe to rely on the support of the Hazara democrats, and independents, and two Hindus from out of the H. S. N. groups, in forming *a pure Congress party*, with the creed of *Purna Swaraj*, or Complete Independence, as the goal of political progress.

In a statement to the Press, the writer has pointed out that though the H. S. N. Party creed may be *differentiated* from the Congress programme of *Purna Swaraj* for the country, inasmuch as the former are satisfied with the demand for Dominion Status, as the practical goal of present-day politics for India, yet the H. S. N. Party members cannot be in official " opposition " to the Congress Ministry. There can be no good reasons whatsoever, for not coinciding the two programmes, or making them work on parallel lines up to the accomplishment of " bracketed Swaraj " at any rate. The majority interests do not stand to be safeguarded by coalition with Moslem Leaguers, whose political ideal is the protection of minorities only in the Provinces where Moslems are in a minority: and to take full advantage of Moslem majority wherever it exists, *e.g.*, in Bengal, the Panjab, Sind and N.-W. F. Province.

337. PT. JAWAHARLAL'S TOUR OF N.-W. F. P.

The success achieved by the Congress party in N.-W. F .Province, led to the flying visit of the President of Indian National Congress to Peshawar and Utmanzai with a view to encourage the workers in the cause of freedom and independence, by formation of a strong organisation in N.-W. F. Province, under the guidance of Khan brothers. In his first visit to Peshawar and Charsadda, including Utmanzai, Pandit Jawaharlal Nehru addressed monster meetings at Shahibagh, and Cantonment of Peshawar, also in the Islamia and Mission Colleges, and at Utmanzai. He next paid a flying visit to Abbottabad, Mansehra, Baffa, Haripur in Hazara District, also

to several villages in Mardan District, before coming to Peshawar, *via* Risalpur and Nowshera cantonments. He has also toured through the districts of Kohat, Bannu and Dera Ismail Khan, and within one short week he has addressed about thirty meetings in various places, receiving address of welcome, and going through a very crowded programme. At Takkar he paid his homage to those killed and wounded there during the Civil Disobedience Movement of 1930. He has visited all prominent political centres of N.-W. F. Province, where thousands of uniformed Red-Shirts paraded the streets in his honour. The towns and villages visited by him were gaily decorated and National flags were in prominence everywhere. He was given a wild and most enthusiastic reception throughout the Province, and taken all in all it was a most triumphant march of a national hero from one corner of the Province to the other. During this glorious week, which will be for ever remembered in the annals of this Province, he received hearty welcome even from tribesmen from across the border, who appreciated his views of Independence for India and of friendship and sympathy with neighbourly tracts, because they too are freedom-loving people, valuing it above everything else. Pt. Jawaharlal, the Congress President, when addressing his final meeting in the Frontier Province at Dera Ismail Khan on the evening of 26th January, spoke of his seven days' tour, and said that

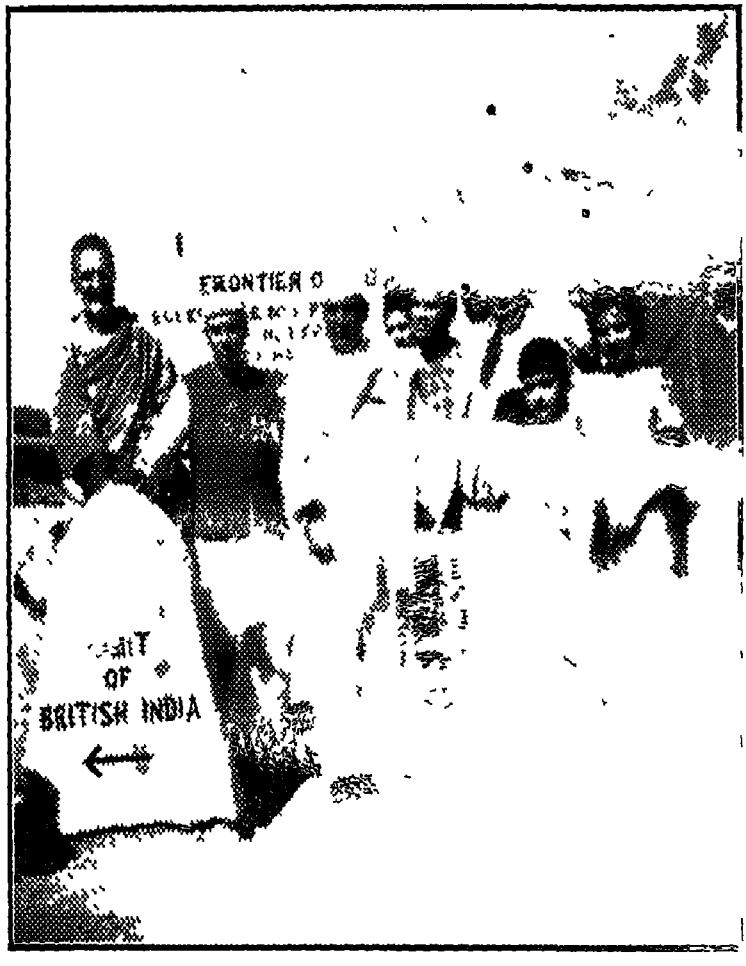
"during these seven days he had seen many unforgettable pictures of the present but often his mind had wandered to the past, for *the Frontier area was rich in memories of India's long history.* For thousands of years caravan after caravan had trekked through the narrow passes of the North-West."

He observed that

"many strange and needy peoples had come to this land of ours and were absorbed by India. *The Aryans* came long ago and gave their tremendous impress to India. *The Scythians, Turks* and *Huns* also came and many of them settled down and even to-day there was much of Scythian blood in our Rajput races."

Proceeding further he said

"the other day he had crossed the Indus almost at the spot where *Alexander* crossed it and in the picture of his mind he saw the Macedonian Army entering the fertile plains of India. Later, *Asoka* the Great left imperishable memorials all over the frontier tracts. Peshawar became the capital of a great empire ruled by *Kanishka* spreading from the Vindhyas to Central Asia. It was a Buddhist Empire and then came to Peshawar pilgrims and students in search of learning from the West and the Far East. It was the meeting place of three



Pt. Jawaharlal with Abdul Ghaffar Khan & Dr Khan Sahib and T. D. Diwan Chand Obhrai at the Limit of British India

—From The Tribune, Lahore.

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great cultures, the Indian, the Chinese, and the Graeco-Roman. Later, again the Arabs suddenly rose into prominence and in one tremendous sweep of conquest spread from China to Spain. They knocked at the doors of India but did not enter. It is well to remember that Islam was India's friendly neighbour for hundreds of years without conquest or conflict. It was only when Central Asian conquerers came to India as invaders that there was conflict. This conflict was political, not religious, although it was exploited in the name of religion. Mahmud came as a ruthless conquerer and looted India but how many people know that one of his best armies in Central Asia consisted of Indian and Hindu troops under a General named Tilak ?" "It was across these frontier tracts that India sent her message of religion and art to the Far East and so many pilgrims made a long journey to India in search of learning". "All these and many other pictures came to Pt. Jawaharlal's mind as he wandered across the Frontier Province."

338. CONCLUSION

Both for comparison with the past and for purposes of a complete picture of the present, this work has had briefly to describe in outline the disturbed and unsettled course of events in this part of the country, through different periods of its political history.

In the Hindu period, reckoned as the Golden Age of India, the notable dynasties have been the Mauryan and Gupta rulers, whose beneficent reign, on popular basis, saw the maximum peace and prosperity in the land because it was a complete *Swaraj* of the Aryan race, which after its immigration from Central Asia, merged the pre-existing Dravidian races into an Ancient Hindu civilization, with its characteristic religious and social system, known as "Hinduism". This high order of civilization was evolved in India in contact with the Babylonian, Greek, Persian and Chinese civilizations. King Asoka was undoubtedly one of the most conspicuous figures in ancient history, whose rule was marked as well for the material progress, and prosperity as for the spiritual good of the people. After his death Buddhism was gradually absorbed or eliminated by Brahmanism. "Independent Kingdoms like Bactria and Parthia took their rise in the border land, and the Greeks rendered their excursions. New races (the Yuen-chi) came in a surge of migration which swept all before them, and in the 1st century A. D. a considerable portion of North-West India came under their influence."(*a*)

The remarkable event was the fact that though the Aryans, Bactrians and Greeks came in as the first white conquerers from the

(*a*) The Indian Annual Register, 1936, p. 29.

North-West Frontier, they settled in this country for good, and made it their permanent home. The essential and abiding features of Hinduism are its vital and unchangeable caste system, and the religious doctrines of Transmigration of the Soul, and of the iron law of *Karma,* which makes every Hindu the Creator, preserver, and the responsible evolver of his own Destiny: The sacred continuity of the Hindu *Dharma,* which is nothing more nor less than the law of righteousness, is conserved and assured by the elasticity and complete toleration of its Spiritual Doctrines, which involve no adherence to any particular creed or dogma. The fluid religious system based upon the revelations of the Vedas, and the developments of the six great systems of Hindu philosophy than which human intellect has not soared higher, has withstood the religious Schisms of Buddhism, has survived the iconoclastic tendencies of Islam, and the violent persecutions of bigoted Mohammedan Kings. It is still supreme in India in spite of the denunciations, and even the ridicule of Christian missionaries, and embraces within its fold more than two-thirds of the total population in India. The Hindu is not necessarily an idol-worshipper, or a superstitious creature as he is depicted by the followers of other competing religions. Hinduism does not depend upon the ceremonials of practices observed by certain sections. The essential feature is the continuity of the race by observance of the strict marriage laws, and the traditional customs interwoven with the sacred code of Laws of Manu, and the other sages, which regulate a Hindu's calm, peaceful, non-turbulent, and non-violent family and individual life. Truth, honesty, justice, and regard for human and animal life have been the characteristics distinguishing the community as a whole. The Hindu nature is spiritualistic in its outlook, and constantly in struggle against the restless materialism introduced by foreign dominating influences. The institution embraces within its fold not only the intellectual Brahmins, the warrior Kshatriyas, the trading Vaishyas, but the serving Sudras. As a population inhabiting this country, the Hindus are nationalistic in their ideals, and have no aggressive intentions regarding the equal rights and privileges of communities as citizens of the Great British Indian Empire. In the second chapter, we have noticed the Mohammedan domination in India, for several centuries, under various dynasties, especially under the Mughal Emperors. The Mohammedan invaders of the 11th and 12th centuries from the West were completely antagonistic to Hindu

religion and their social outlook was foreign. They did not settle in India, but made many converts by force, and left them in the country on their return to the foreign lands from which they came for pillage and loot as marauders. Later dynasties, the Turks of Ghazni, the Afghans of Ghor, the Slave-Kings, all established centres of power in India, passing and repassing through N.-W. F. Province in the course of their incursions and invasions, and made almost a desert of this N.-W. Frontier. The Muslim rule in India is associated principally with the name of Akbar the Great, or Aurangzeb, his great-grandson, known as Alamgir. The conciliatory policy of Akbar was the first attempt to make an Indian Nation by the racial fusion of the Hindu subjects, and the Muslim conquerers who meant to settle in India as their permanent home. He only succeeded very partially, in reconciling the Hindu India with the Muslim rule based upon principles of justice, and social equality of the rulers and the ruled. The administrative system of Akbar, far in advance of anything previously known, was not allowed to be perfected by his successors, whose policy was less and less conciliatory during the reigns of Jehangir and Shah Jehan, until it was entirely provocative and humiliatory for the Hindus, in the time of Aurangzeb. This was the chief cause of the fall of Mughal Dynasty. The personal administration of Akbar through his ministers gave way to rule by generals, and favourite courtiers in different provinces, and a system of assignments, or of forming out of land-revenue, with inevitable exactions or extortions that ruined the agricultural community in providing for the splendours of the Mughal rulers and their court officials. The Hindu States were subjected to political domination of the Muslim Governors, but Hinduism more than defied the attempts of Mohammedan rulers to extinguish its peculiar spiritualism or to control and restrict its devotional, even its idolatrous, practices. The influence of Mohammedan doctrines of Theism, and pure worship of one God no doubt brought about the reformatory movement of certain sages like Ramananda, Bhagat Kabir, and Guru Nanak, but Sikhism was nothing but a modified form of Hinduism, and the Sikhs were a part and parcel of the Hindu community which they defended against Mohammedan aggression during the time of the successors of the Emperor Aurangzeb. The Mahrattas in Southern India, and the Rajputs of Central portions, as well as Sikhs in the North, were as three chief military sections of the Kshatriya class of Hindus, who

were prepared for any sacrifices necessary in the defence of orthodox Hinduism. The Hindu religion and culture was in great danger during the period of Mohammedan political ascendency, and the idol-worship of infidel Hindus, in their temples and public places more than upset the Muslims, whose religion is non-tolerant of such practices and beliefs, but the Hindus were too numerous to be exterminated, and too conservatives to yield to the persuasions by argument, or compulsions, by force of their Mohammedan rulers, and their spiritual advisers. The atrocities under Aurangzeb's successors, and religious persecutions of Hindus, turned the Sikhs into a military sect, goaded into rebellion against the Mughal rule which resulted in the fall of the Mughal Empire. The brief period of Sikh rule in the Panjab, and the extension of their power in N.-W. F. Districts, has been related in the third chapter, illustrating the folly of disunion among political leaders, for purposes of private gain, at the expense of the welfare, and prosperity of the community, or nation as a whole. The advent of the English is noticed in chapter IV, with special reference to occupation of the Panjab, and its annexed districts in the N.-W. Frontier. The merchant adventurers, called East India Company, who had established a rule in India for the benefit of the business, gradually evolved a Government more and more disinterested in motives and actions and with greater understanding of the religious susceptibilities of the Hindus and Mohammedans. Many necessary administrative measures were adopted by the different Governor-Generals, but we are concerned more particularly with the period commencing with the office of Lord Dalhousie, who had introduced many reforms from which N.-W. Frontier benefited along with the rest of India and the Panjab, as soon as the British occupied this part of the country as successors to the Sikh Government. The re-marriage of Hindu widows was legitimised, and steps also were taken to prevent the horrible practice of *Suttee*. The Railway line was opened, Telegraph introduced, and Public Works Department founded. The Education Department with Schools, Colleges and Universities on the Western model have had much to do with the Independence movement in India. The Religious neutrality is the keystone of British rule in India: but owing to certain misunderstandings as to British attitude towards Indian religions. The Mutiny of 1857 broke out in Lord Cannings' time, but its worst effects were not felt in N.-W. F. Province which remained loyal, and under control,

greatly relieving the pressure at Delhi, Agra and Cwanpore. The Mutiny definitely closed the old regime of the East India Company in India and the nine year rule in N.-W. F. Province. In 1858, it was replaced by the direct rule of Queen-Empress Victoria, through the British Houses of Parliament, and the Indian Civil and Military servants of the Crown. The Queen's Proclamation of 1858 is the first Declaration of rights, and the Magna Charta, constituting a pledge of just and beneficent British rule in India. The Queen of England was formally proclaimed Empress in 1877, at a grand Durbar held at the ancient Mughal capital of Delhi: In 1901, the N.-W. F. Province was separated from the Panjab for purely administrative and political reasons, which did not appeal to the public, though no protest was lodged at the time. In 1903, a great Durbar was held at Delhi for the celebration of King Edward VII accession to the Imperial Throne of India, in which the principal notables duly presented themselves. In 1909, a Scheme of Reforms, known as Morley-Minto Reforms, was embodied in the Indian Councils Act of 1909, but they were not extended to N.-W. F. Province. The Province had to control its military situation by conflicts with Afridis and the Gulf arms traders, and to prevent rearmament of the tribes, and external affairs stood in the way of internal administrative progress. In 1911, His Majesty King George V was crowned as Emperor of India at Delhi, which since that year is the officially proclaimed Capital of India. In 1912, political dissatisfaction of some sort was responsible for an attempt at the assassination of Lord Hardinge, the Viceroy, but in 1914-1918, India gave proof of its loyalty and devotion to the Crown, by remarkable services in recruitment, and the subscriptions towards war-funds, which made British statesmen look towards India from a different angle of vision. Between 1909 and 1913, the militias were rearmed, and Frontier Constabulary with the system of issuing rifles to the villagers by relaxing the stringency of Arms Act was inaugurated. The first years of the Great War found this Province in enthusiastic support of the British administration: some disturbing factors appeared later. In 1917, a pledge of complete Self-Government in successive stages was given in the rest of India which rejoiced the Indians wanting Dominion Status along with the other British Colonies. The promise of a "progressive realisation of responsible Government", through different stages and times as determined by the Parliament, has been but slow and not quite com-

forting to India's Nationalist aspirations. In a world at war it was "curious and pleasing" as observed by Sir George Roos-Keppel, "that the North-West Frontier had no history for the year 1918-19," except of prosperity, following military employments on a large scale open to fighting classes on the Frontier. In 1919, Mahatma Gandhi began his movement of "passive resistance", as the Morley-Minto Reforms were not found adequate to satisfy India's need for advance in constitutional Government: and instead of promised Self-Government, people got the Rowlatt Act to put an end to the terrorist movement started in those days. Later, there was General Dyer's armed attack on the defenceless people assembled at a public meeting held in contravention of his orders, and said to be seditious in character. This movement had its reverberation in N.-W. F. Province both inside and outside the border. The Government of India Act 1919 was passed soon after the facts in connection with the Panjab tragedy of *Jallianwalla Bagh,* were known all over India and the Panjab. In 1921, the new Indian Legislative and Provincial Council, and the Chamber of Provinces was established, in pursuance of Montagu-Chelmsford Reforms Scheme, which was denied to N.-W. F. Province. The Khilafat and Hijrat movements of N.-W. F. Province were a pathetic episode in the days of non-violent non-co-operation in India: and Hindu-Moslem unity was everywhere in the foreground, directed against the British officials as the much hated third party but all the same the British Government had a stronghold on the masses by reason of its administrative success, and there was no genuine movement of disaffection or disloyalty wanting to break British connection with India. The N.-W. F. Province had not obtained any share in India's new constitutional advance, and a strong move for re-amalgamation with the Panjab was met by the Report of the Frontier Enquiry Committee that the Province must remain a separate one for political reasons, and it must have its own liberal representative institutions, under certain necessary safeguards due to its geographical and historical position, based on the doctrine of self-determination. This led to a further constitutional enquiry by the Royal Statutory Commission in 1929, followed by the proceedings in Round Table Conference which recommended the first Legislative Council of N.-W. F. Province, under a Governor, in 1932. Recently under the Government of India Act, 1935, N.-W. F. Province has a Legislative Assembly like any other

Governor's Province, and has got its " full-fledged Reforms ", with due regard to special border conditions, " to sink or swim with the rest of India ".

The Province at the gate-way of India is thus on its way to promised Self-Government, equipped with the latest model of administrative machinery, both civil and military, fully competent to deal with all external dangers, and internal disorders, but appears sadly to suffer from one or two chronic ailments requiring immediate attention, *viz.*, externally a turbulent border inhabited by politically independent tribes, only nominally under British control, with a religious and social system akin to that of the settled districts, and liable to frequent fits of fanaticism: and internally, a top-heavy administration, till lately run on communal lines, both the above factors working to the utter discomfiture of Hindu and Sikh minority communities, who are in their own interest, extremely dependent on Government for safety and protection of their lives, property and honour.

The first Ministry, run on communal lines, has had to give way to superior organisation of the Congress. Some half-hearted intriguing efforts to dislodge the present popular Ministry are forecast on the part of certain reactionary elements, but with the growing powers and influence of the Indian National Congress, and its strong appeal to the masses, they are not likely to command any noticeable measure of success. The Congress administration, if it stays long enough in the Province, is calculated to remove some of the feelings of insecurity of the minority communities due to the smallness of their number in this part of the country. And the Hindu and Sikh minorities would be well-advised in keeping most friendly and amicable relations with the people inhabiting the Province, especially that section of it, who are nationalistic, and not communalistic in their outlook, and who seek to make no distinction amongst Hindus, Sikhs, Christians or Moslems on ground of religion, so far as their political, social, economic, and other vested interests are concerned. In the words of Pt. Jawaharlal Nehru " they have to share the joys and sorrows in common with the people inhabiting the Province, and create mutual confidence. The strongest armour would be their friendship with them."

POSTSCRIPT

THE WORKING OF THE CONGRESS GOVERNMENT IN N.-W. F. P.

While these pages were in press, the Budget Session of the Congress Ministry has passed successfully: and during September 1937, to the end of March, 1938, may be briefly chronicled. It may be recalled that the results of the poll were finally known on the 18th February, 1937. Out of the 50 seats in the Provincial Legislature 19 were captured by the Congress, 8 by the Hindu-Sikh Nationalist Party, 20 by the United Muslim Party, and 3 by the Independents. The Legislative Assembly was summoned for the first time on the 14th and 15th of April, 1937, for administering oath to the members and for the election of Speaker and Deputy Speaker. A member of the Independent Party was proposed to the Chair by the Congress party and was supported by all sections of the House. There were two nominees for the Deputy Speakership but the nominee of the Congress was elected. This was the first defeat to the United Muslims and the Hindu-Sikh Nationalist Party. A vote of no-confidence in the Ministry which was formed by the coalition of United Muslims and the Hindu-Sikh Nationalist Party was tabled by the Congress but as the session was prorogued it did not come up for discussion. For five months the Assembly did not meet. In September, 1937, session was held at Abbottabad for the presentation of budget. A vote of no-confidence was again tabled by the Congress Party which was fixed for discussion on the 3rd. On that day the Congress party succeeded by 27 to 22 and on 7th September, 1937, oaths of office were administered to the Cabinet by the Governor. The session was temporarily adjourned to reassemble again on the 17th September, 1937. The Congress Ministry during this interval of 10 days recast the budget and achieved a saving of about Rs. 2 lakhs. A lakh out of the savings was set apart for remission of land revenue which formed one of the main items of programme of the Congress. A sum of Rs. 50,000 was set apart for supplying drinking water to dry tracts of Hazara, Kohat, Bannu, and Dera Ismail Khan Districts, which was the crying need of the people of those places and which also formed one of the items of Congress programme.

The Hon'ble L. Bhanja Ram Gandhi,
Finance Minister, N.-W. F. P.

The institution of Honorary Magistrates which had been in vogue since long was the object of great condemnation and was considered to be a weapon of revenge and tyranny in the hands of the favourites of the British Government. The Congress abolished this institution altogether.

The Local Bodies in the Province, namely, the District Boards, Municipal Committees, and Notified Area Committees consisted of elected and nominated members. It was a known fact that nominated members secured nomination to these bodies through the favouritism of the District officials. This is also a known fact that nominated members were left very little independence in the matter of voting. They took their cues in all matters from the officials to whom they owed their existence on such bodies. Under the Provincial autonomy adumbrated under the Government of India Act, 1935, the Legislature was to consist of elected members only. The retention of nomination in Local Bodies was therefore an anachronism. The Congress Government soon after coming into power abolished the nomination system altogether and the Boards now are manned by elected members only.

The question of employment was one of the acute problems of the day. The recruitment to Ministerial posts was in the hands of the Heads of Departments who were mostly Britishers. The employment went very little by merit and mostly by favouritism. The Congress Government was alive to the tyranny of this evil and by public declaration they abolished the system of recruitment through the Heads of Departments and declared that in future all recruitment to public offices whether Ministerial or executive shall be by open competition.

The release of political prisoners was engaging the attention of the various Provincial Governments throughout the country. Some of the leading Provinces in India where Congress Government came into power took up this question and immediately after assuming office examined the cases of political prisoners and released most of them within a very short interval. The Congress Government in this Province also examined the case of the political prisoners. Most of them consisted of persons convicted in Hathi Khel disturbance. In the year 1930, when Congress meetings were banned throughout the Province a posse of Military people came into conflict with a meeting of the Congressmen held in the area of Hathi Khel Wazirs. The intention of the Military was to disperse the meeting. The Hathi

Khel Wazirs who had assembled there for the purpose of meeting refused to obey the orders of the Military and there was exchange of fire between the Military and the Hathi Khel Wazirs as a result of which two British officers were wounded and many on both sides died. The Hathi Khel Wazirs who were convicted of the offence of rioting with murder were sentenced to transportation for life. They had hardly completed seven years of their term of imprisonment when the Congress came into power and released almost all the prisoners. This is considered to be one of the greatest achievements of the Congress in this Province in this direction.

Some of the political associations like the Khaksar, the Naujawan Bharat Sabha, and others were under ban imposed by the previous Governments. These associations could not hold their meetings and their membership was declared to be an offence. The Congress Government removed this ban and these associations began to revive their activities.

Some prominent political leaders like Khan Abdul Ghaffar Khan and Allama Mashriqi, the founder of the Khaksar movement, were under prohibition to enter the Frontier Province. They were also permitted by the Congress Government to re-enter the Province and to resume their political activities.

The next session of the Assembly started on the 1st of March, 1938. During this session with the aid of the Congress majority a Bill was passed repealing the Frontier Crimes Regulation which had hitherto been an object of universal condemnation in the Frontier Province outside. The Assembly also repealed section 124-A of the Indian Penal Code and in this respect gave lead to the rest of India. Another Bill was introduced in the Assembly with a view to afford relief to the agriculturists. The measure being a highly controversial one has been circulated for opinion. This Bill was modelled on the Agriculturist Relief Bill introduced and passed by the Madras Assembly. During this session another sum of Rs. 1 lakh was set apart for providing drinking water to the people of the four districts of Hazara, Kohat, Bannu, and Dera Ismail Khan.

As a step towards Indianization of services the post of Director of Public Instruction which had hitherto been ear-marked for Europeans was filled by an Indian of the Provincial Education Service. Similarly, the post of Assistant Director of Public Health, which had hitherto been reserved for members of the Indian Medical, was given to a

member of the Provincial Medical Service. The Directorate of Agriculture which consumed about Rs. 2 lakhs of the revenues of the Province without conferring any benefit on the people was abolished because it was considered to be a burden on the exchequer of the Province. This was also in response to the universal demand by the people of the Province for the abolition of the Directorate.

These are some of the achievements to the credit of the Congress Government which had been in power only for six months. In a deficit Province like the Frontier which depends for two-thirds of its expenditure on subvention from the Centre, it is difficult to achieve much in any direction unless the resources of the Province are augmented by increasing its income. The Congress Government has not been slow in moving in this direction. The Government entered into an undertaking with an Indian firm for establishing a sugar factory in this Province. For this purpose Takht Bai in Mardan District was selected and the Indian firm undertook the erection of a sugar factory there. Seventy-five per cent of the capital will be contributed by the inhabitants of this Province and 25 per cent by outsiders. It is hoped that by establishing this factory the unemployment will, to a certain extent, be reduced and the resources of the Province will be slightly augmented.

A Bill has also been introduced in the Assembly for making education compulsory in the Province. It is hoped that the experiment will be started in Municipal areas during the next financial year. The Government is examining the working of this Scheme and is considering the measures for making financial provision for the completion of compulsory primary education.

The Congress throughout India is pledged to complete prohibition. The Government in this Province has also introduced and passed a Bill for introducing prohibition in this Province, but as a measure of experiment the District of Dera Ismail Khan has been selected for this purpose where prohibition will come into effect from the 1st of April, 1938. This will cause a loss of Rs. 1 lakh to the revenues of the Province. The programme is to be started at this huge sacrifice in a deficit Province. The Congress Government also opened 50 new primary schools in the rural areas. Some of the primary schools have been raised to the Anglo-Vernacular and Vernacular middle standards.

The Finance Minister of the Congress Government attended the

Finance Ministers' Conference held in Delhi in winter last and made endeavours for increasing the amount of subvention. Without any increase in the amount of subvention it is difficult to achieve any material progress and it is expected that in the years to come the Government of India will realise the financial difficulties of the Province and will increase the amount of subvention. With funds at its disposal the Congress Ministry would have achieved much and if they failed in anything the failure may be attributed to their limited resources and not to their want of zeal for increasing the material, moral, and intellectual prosperity of the Province.

The Congress Ministry in N.-W. F. Province welcomed H. E. the Viceroy, Lord Linlithgow, when he came to Peshawar recently, to open the Hydro-Electric Installation at Malakand, and to inspect the Upper Swat Canal. The incident has caused an unnecessary stir in certain quarters, but is worthy of a special note. These two costly projects, costing about 5 crores of rupees, being the greatest achievements in Public Works Department in N.-W. F. Province, since the separation of this province from the Panjab, are rightly regarded as a distinct step forward in the Evolution of the Frontier Province towards civilization and modernity; and are one of the distinct blessings of the British administration in this part of the country. The Upper Swat Canal is remarkable for its "Benton tunnel," third largest in India, and would supply water to over 300,000 acres in the Yusufzai Valley to the south of the Malakand Pass, from the waters of the Swat Valley in Swat State, to the north of Malakand. The Canal is nearly 13 miles in length, the first 4 miles lying in tribal territory but its branches and distributories aggregate over 550 miles, a portion of which naturally benefits the tribal territory also. The Scheme, it is regretted, is not quite a financial success at present, being much too big for the small revenues of N.-W. F. Province, but great improvement is expected in Canal returns in the near future, under careful departmental management, assisted by an expected increase in the subvention granted from the Central revenues to maintain the separate existence of a deficit province at the Western Gateway of India.

The Hydro-Electric Scheme at Malakand compromises three sets of 3,200 K. Ws. each, and a fourth set is being held in reserve to meet possibilities of development at a larger stage. The Transmission arrangements will carry the current to powerful Sub-Stations located

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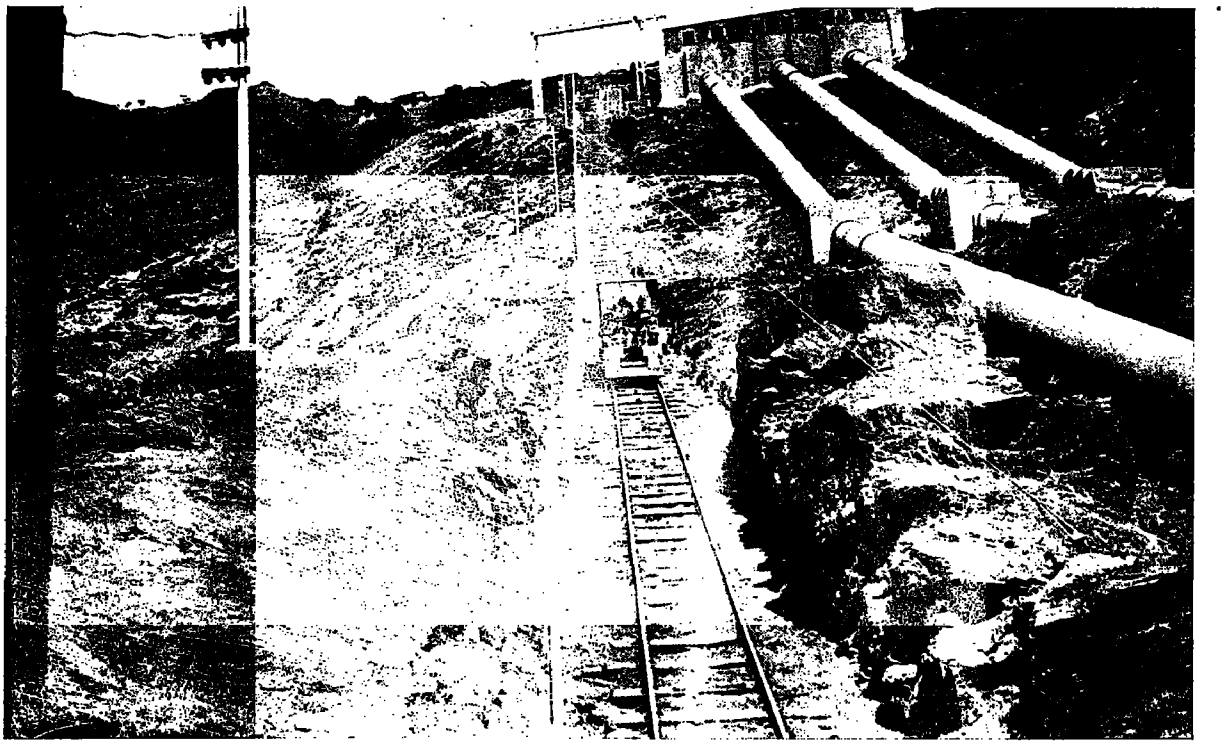

Hydro-Electric Installation, Malakand.

H E [illegible] Stati[illegible] Peshawu [illegible] ministers

[illegible]ograph by T Das)

Viceroy replying to address at Malakand.

at Hoti, Risalpur, Mardan, Nowshera, Charsadda and Peshawar and under able and efficient commercial and technical advisers ought to prove a great financial success. It is estimated that the supply of electricity to villages and towns of Peshawar, and Mardan districts will be the cheapest in India, adding considerably to the amenities of life therein and this further encourages a belief in the possibilities of a Provincial industrialization at no distant date. His Excellency the Viceroy paid a well-deserved tribute of credit to Mr. Burkitt who first undertook the project, assisted by Mr. Oram then Superintending Engineer in charge of designing the Civil Works: and to his successor, Mr. C. M. Roos, Chief Engineer and a staff of competent technicians. The Power House at Malakand was opened, after a befitting state ceremony by His Excellency the Viceroy, on the 23rd April, 1938, which shows the importance attached by the authorities responsible for carrying out this benevolent scheme to a successful issue for the future glory and welfare of this province.

The recent visit of Mahatma Gandhi to N.-W. F. Province, at the express desire of Khan Abdul Ghaffar Khan, fulfills Mahatma's own long-cherished wishes in this respect. A great political and social significance may be attached to this private meeting of two sympathetic souls engaged in spreading the cult of non-violence, as the road to future Independence of India, along lines of Hindu-Moslem unity in every part of this country, which lies deepest at the very heart of these two great kindred personalities.

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